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TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS IN WYOMING

For the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units and investment limits for the counties identified below are determined to be as herein set forth. The average values and investment limits heretofore established for said counties, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations (13 F. R. 9381), are hereby superseded by the average values and investment limits set forth below for said counties.

WYOMING

County	Average value	Investment limit
Albany	$25,000	$12,000
Big Horn	15,000	12,000
Campbell	18,000	12,000
Crook	18,000	12,000
Laramie	22,000	12,000
Park	18,000	12,000
Sheridan	25,000	12,000
Sublette	20,000	12,000
Uinta	20,000	12,000
Washakie	20,000	12,000
Weston	20,000	12,000

(Sec. 41, 50 Stat. 529, 60 Stat. 1066; 7 U. S. C. 1015. Interprets or applies secs. 3, 44, 60 Stat. 1074, 1069; 7 U. S. C. 1003, 1018)

Issued this 9th day of May 1950.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

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PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS IN IOWA

For the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units and investment limits for the counties identified below are determined to be as herein set forth. The average values and investment limits heretofore established for said counties, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations (13 F. R. 9381), are hereby superseded by the average values and investment limits set forth below for said counties.

IOWA

County	Average value	Investment limit
Appanoose	$12,000	$12,000
Clarke	13,000	12,000
Davis	12,000	12,000
Decatur	12,000	12,000
Jefferson	15,000	12,000
Madison	15,500	12,000
Monroe	12,000	12,000
Van Buren	11,500	11,500
Wapello	12,500	12,000
Wayne	12,500	12,000

(Sec. 41, 50 Stat. 529, 60 Stat. 1066; 7 U. S. C. 1015. Interprets or applies secs. 3, 44, 60 Stat. 1074, 1069; 7 U. S. C. 1003, 1018)

Issued this 9th day of May 1950.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

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PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS IN ALABAMA

For the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as

(Continued on p. 2825)

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

amended, average values of efficient family-type farm-management units and investment limits for the counties identified below are determined to be as herein set forth. The average values and investment limits heretofore established for said counties, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations (13 F. R. 9381), are hereby superseded by the average values and investment limits set forth below for said counties.

ALABAMA

County	Average value	Investment limit
Baldwin	$12,000	$12,000
Barbour	10,000	10,000
Blount	8,500	8,500
Bullock	9,000	9,000
Butler	10,000	10,000
Calhoun	10,000	10,000
Chambers	8,500	8,500
Chilton	8,500	8,500
Choctaw	6,500	6,500
Clarke	8,000	8,000
Clay	7,800	7,800

ALABAMA—Continued

County	Average value	Investment limit
Coffee	$10,000	$10,000
Colbert	11,000	11,000
Conecuh	10,000	10,000
Covington	9,000	9,000
Crenshaw	9,000	9,000
Cullman	9,000	9,000
Dale	10,000	10,000
Dallas	12,000	12,000
De Kalb	10,000	10,000
Elmore	8,500	8,500
Escambia	10,000	10,000
Fayette	8,000	8,000
Franklin	10,000	10,000
Geneva	10,000	10,000
Greene	12,000	12,000
Henry	10,000	10,000
Houston	10,000	10,000
Jackson	10,000	10,000
Lamar	8,000	8,000
Lee	8,500	8,500
Limestone	11,000	11,000
Macon	8,500	8,500
Marion	8,000	8,000
Marshall	10,000	10,000
Mobile	11,000	11,000
Monroe	10,000	10,000
Morgan	10,000	10,000
Perry	12,000	12,000
Pickens	9,000	9,000
Pike	9,000	9,000
Randolph	8,500	8,500
Russell	8,500	8,500
St. Clair	8,500	8,500
Shelby	9,000	9,000
Sumter	12,000	12,000
Talladega	9,500	9,500
Tallapoosa	8,000	8,000
Tuscaloosa	9,000	9,000
Walker	8,000	8,000
Washington	6,500	6,500
Wilcox	12,000	12,000
Winston	8,000	8,000

(Sec. 41, 50 Stat. 529, 60 Stat. 1066; 7 U. S. C. 1015. Interprets or applies secs. 3, 44, 60 Stat. 1074, 1069; 7 U. S. C. 1003, 1018)

Issued this 9th day of May 1950.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-4085; Filed, May 11, 1950; 8:55 a. m.]

PART 333—PROCESSING SUBSEQUENT LOANS

CHANGE IN REFINANCING

Section 333.3 in Title 6, Code of Federal Regulations (14 F. R. 6325), is amended as follows:

§ 333.3 *Interest rates, sources of funds, and amortization schedules.* Various kinds of Farm Ownership financial assistance have been extended at different rates of interest and involving a number of sources of funds. Therefore, the following policy will govern the making of a subsequent Farm Ownership loan so that future servicing will be simplified: (a) The outstanding Farm Ownership indebtedness will be refinanced if so provided herein; (b) the benefit of the lowest practicable rates of interest on outstanding Farm Ownership indebtedness will be retained for the borrower; (c) unpaid balances on outstanding Farm Ownership debts will be reamortized.

(a) When making a subsequent loan to a borrower whose outstanding Farm Ownership indebtedness was not incurred in accordance with title I of the Bankhead-Jones Farm Tenant Act, as originally enacted or as amended:

(1) Sufficient funds will be included in the subsequent loan to refinance all outstanding Farm Ownership indebtedness.

(2) The interest rate will be 4 percent.

(3) The subsequent loan will be amortized so as to mature within one year of, but not later than, the maturity date of the borrower's initial Farm Ownership note, unless the loan approval officer determines that a longer payment period is necessary, but in no case will it be amortized over a period longer than 40 years from the date of the subsequent loan note.

(This applies to those Farm Ownership borrowers, including former Farm and Home Improvement and Special Real Estate borrowers, whose initial loans were made from Loans, Grants, and Rural Rehabilitation funds or from State Rural Rehabilitation Corporation funds; Project Liquidation borrowers whose units were sold not pursuant to title I; Project Liquidation borrowers whose units represent investments of a State Rural Rehabilitation Corporation; Project Liquidation borrowers whose units were sold by a Defense Relocation Corporation, a Land Leasing or Land Purchasing Association, or similar corporation; and borrowers whose farms were security for Operating loans and were acquired by the Government and sold to the borrowers on title I terms in accordance with Part 372, Subpart E, of this chapter.)

(b) When making a subsequent loan to a borrower whose outstanding Farm Ownership indebtedness was incurred solely in accordance with title I of the Bankhead-Jones Farm Tenant Act, as originally enacted or as amended:

(1) The outstanding Farm Ownership indebtedness will not be refinanced.

(2) The subsequent loan will bear interest at the rate of 4 percent and each outstanding debt will be continued at its present rate of interest.

(3) Each outstanding debt will be reamortized as of the date the subsequent loan is closed. The subsequent loan will be amortized so as to mature within one year of, but not later than, the maturity date of the earliest outstanding note, unless a transfer case is involved. If a subsequent loan is made in connection with a transfer case, the subsequent loan will be amortized so as to mature within one year of, but not later than, the due date of the final installment under the assumption agreement.

(Sec. 41, 60 Stat. 1066; 7 U. S. C. 1015. Interprets or applies secs. 1, 3, 44, 48, 60 Stat. 1072, 1074, 1069, 1070, sec. 1, 62 Stat. 534; 7 U. S. C. 1001, 1003, 1018, 1022)

DERIVATION: § 333.3 contained in FHA Instruction 443.3.

Dated: April 20, 1950.

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

Approved: May 9, 1950.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-4086; Filed, May 11, 1950; 8:55 a. m.]

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1949 C. C. C. Barley Bulletin 1, Amdt. 3]

PART 602—BARLEY

SUBPART—1949 BARLEY LOAN AND PURCHASE AGREEMENT PROGRAM

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration, published in 14 F. R. 2965, 4510, 5413, 5415, 15 F. R. 73 and 1584, governing the making of loans and containing the requirements of the purchase agreement program on barley produced in 1949 are hereby amended as follows:

Section 602.119 *Maturity and satisfaction,* paragraph (b) *Purchase agreements,* is amended to read as follows:

(b) *Purchase agreements.* The producer who signs a purchase agreement (Commodity Purchase Form 1) will not be obligated to sell any barley to CCC. However, the quantity which he stated in the purchase agreement will be the maximum quantity he may sell to CCC. If the producer who signs a purchase agreement wishes to sell barley to CCC he will have a 30-day period during which he must notify the county committee of his intention to sell. This period will end on April 30, 1950.

In the case of eligible barley stored in an approved warehouse, the producer must on May 1, 1950, submit warehouse receipts, under which the warehouseman guaranties quality and quantity, to the county committee for the quantity of such barley he elects to sell to CCC but not in excess of the quantity shown on Commodity Purchase Form 1. The producer may submit such warehouse receipts after May 1, but not later than June 1, 1950, only in cases where the eligible barley was in transit (or where it has been in transit during April 1950, but such warehouse receipts have not yet been issued): *Provided,* That, the producer has notified the county committee of his intention to sell within the 30-day period referred to above.

In the case of eligible barley stored in other than approved warehouse storage, the county committee will, on or after May 1, 1950, issue delivery instructions to the producer. The producer must then complete delivery within a 15-day period immediately following the date the county committee issues delivery instructions unless the county committee determines more time is needed for delivery. The quantity of barley delivered must not be in excess of the quantity shown on Commodity Purchase Form 1. Barley delivered under a purchase agreement will be purchased at the applicable settlement value for the approved point of delivery. When delivery is completed, payment will be made by a sight draft drawn on CCC by the State PMA office on the basis of Commodity Purchase Form 4. The producer shall direct on such form to whom payment of the proceeds shall be made.

Eligible barley will be purchased on the basis of the weight, grade, and other quality factors shown on the warehouse receipts and/or accompanying documents; or, if such barley is delivered to a CCC storage facility, on the basis of the weight, grade, and other quality factors determined by the county committee (in accordance with instructions for the determination of such factors under the loan program) and agreed to by the producer at the time of delivery. The settlement value for barley delivered under a purchase agreement will be set forth in Supplement 1 to this bulletin.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies secs. 1, 5, 202, 62 Stat. 1072, 1247, 1252; 15 U. S. C. Sup., 714c, 7 U. S. C. and Sup., 1282, 1302)

Issued this 8th day of May 1950.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 50-4073; Filed, May 11, 1950; 8:53 a. m.]

[1949 C. C. C. Barley Bulletin 1, Supp. 2]

PART 602—BARLEY

SUBPART—1949 BARLEY RESEAL LOAN PROGRAM

This bulletin states the requirements with respect to a program (hereinafter referred to as the barley reseal program) to extend loans on 1949-crop barley in farm storage and to make farm-storage loans available on 1949-crop barley covered by purchase agreements. The program has been formulated by the Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA) as part of the 1949 Barley Price Support Program (14 F. R. 4510, 5413, 5415 and 15 F. R. 73, 1584). The program will be carried out by PMA under the general supervision and direction of the President, CCC.

Sec.

AUTHORITY: §§ 602.131 to 602.144 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply secs. 1, 5, 202, 62 Stat. 1072, 1247, 1252; 15 U. S. C. Sup., 714c, 7 U. S. C. and Sup., 1282, 1302.

§ 602.131 *Applicable sections of 1949 barley price support program.* The following sections of the 1949 Barley Price Support Program, published in 14 F. R. 4510, 5413, 5415 and 15 F. R. 73, 1584 shall be applicable in their entirety to the 1949 Barley Reseal Program: §§ 602.101 *Administration;* 602.103 *Approved lending agencies;* 602.108 *Determination of quantity;* 602.109 *Determination of dockage;* 602.110 *Liens;* 602.113 *Interest rate;* 602.115 *Safeguarding of the barley;* 602.116 *Insurance;* 602.117 *Loss or damage to the barley;* 602.118 *Personal liability;* 602.120 *Removal of the barley under loan;* 602.121 *Release of the barley under loan;* 602.122 *Purchase of notes;* 602.124 *Support rates.* Other sections of the 1949 Barley Price Support Program Bulletin shall be applicable to the extent indicated herein.

602.132 *Availability*—(a) *Area.* The reseal program will be available in all areas where farm-storage loans were available under the 1949 Barley Price Support Program. Under this program, 1949-crop farm-storage loans will be extended and farm-storage loans will be made on 1949-crop barley covered by purchase agreements. Neither warehouse storage loans nor purchase agreements will be available.

(b) *Time.* The producer who desires to participate in the reseal program rather than to repay his loan, to deliver the barley under loan, or to sell his barley to CCC under his purchase agreement must file an application with the county committee before the final date for delivery specified in the delivery instructions issued to him by the county committee.

(c) *Source.* A producer desiring to participate in the reseal program should make application to the county committee which approved his loan or purchase agreement.

Disbursements of loans completed on barley covered by purchase agreements shall be made to producers by State PMA offices by means of sight drafts drawn on CCC or by approved lending agencies under agreements with CCC.

§ 602.133 *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation, or other legal entity who produced the barley in 1949 as landowner, landlord, tenant, or sharecropper and who either completed a farm-storage loan or signed a purchase agreement on farm-stored barley of the 1949 crop.

§ 602.134 *Eligible barley.* To be eligible, barley must be in farm-storage, must never have been commingled with barley produced by others, must be under loan or covered by a purchase agreement, and must meet the eligibility requirements for loans, as provided in § 602.105 of the 1949 Barley Price Support Program.

(a) *Extended farm-storage loans.* The commodity loan inspector shall with the producer inspect the barley to determine if it is eligible. If recommended by either the commodity loan inspector or the producer, a sample of the barley shall be taken and submitted for grade analysis.

(b) *Farm-storage barley covered by purchase agreement.* If a producer makes application for a farm-storage loan on barley covered by a purchase agreement, the commodity loan inspec-

tor shall inspect the barley and storage structure, obtain a sample if the barley and structure appear eligible and proceed in the regular manner for the inspection of a commodity to be placed under loan.

§ 602.135 *Approved storage.* Barley covered by any loans extended and any new loans completed must be stored in structures which meet the requirements for farm-storage loans as provided in § 602.106 (a) of the 1949 Barley Price Support Program. Consent for storage for any loans extended or new loans completed must be obtained by the producer for the period ending June 30, 1951, if the structure is owned or controlled by someone other than the producer, or if the lease expires prior to June 30, 1951.

§ 602.136 *Approved forms.* The approved forms, which together with the provisions of the Bulletin, govern the rights and responsibilities of the producer, shall be a producer's note, Commodity Loan Form A, secured by a chattel mortgage on Commodity Loan Farm AA, an application form, and such forms as may be prescribed by CCC. Notes and chattel mortgages must have State and documentary revenue stamps affixed thereto where required by law.

Where required by State law, a new producer's note and chattel mortgage shall be completed when a farm-storage loan is extended.

§ 602.137 *Set-offs.* Any storage payment due the producer for storage of the commodity in farm-storage structures on which CCC has made or guaranteed a storage facility loan to the producer, shall be applied to such storage facility loan until the same is fully repaid. Any amount of such storage payments not so applied and any other storage payments, together with all payments for related services, due the producer shall be subject to set-off in the same manner as provided below for loan or purchase proceeds. If the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan available by CCC on farm-storage facilities, whether held by CCC or a lending agency, he must designate CCC or such lending agency as the payee of the proceeds of the loan or purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service fees and amounts due prior lienholders. If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lienholders. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 602.138 *Quantity eligible for reseal-ing.* The quantity of barley eligible for reseal on an extended farm-storage loan will be the quantity shown on the original note and chattel mortgage, less any quantity delivered or redeemed.

A producer may obtain a loan on not in excess of the quantity of barley specified in the purchase agreement, minus any quantity of the barley under such purchase agreement (a) which has been previously converted to a loan or, (b) on which he exercises his option to sell to CCC.

§ 602.139 *Additional service charges.* When a farm-storage loan is extended, the producer will not be required to pay an additional service charge.

At the time a farm-storage loan is made to the producer on barley covered by a purchase agreement, the producer shall pay an additional service charge of ½ cent per bushel on the number of bushels placed under loan, or $1.50, whichever is greater. No refund of service charges will be made.

§ 602.140 *Transfer of producer's equity.* The right of the producer to transfer either his right to redeem the barley under loan or his remaining interest may be restricted by CCC.

§ 602.141 *Storage and track-loading payments*—(a) *Storage payment.* A producer who participates in the reseal program and in accordance with instructions of the county committee, delivers the barley to CCC on or after April 30, 1951 (or prior to April 30, 1951, pursuant to the demand by the President, CCC, for repayment of the loan, provided such demand for repayment is not due to any fraudulent representations on the part of the producer or the fact that the barley was damaged, abandoned, or otherwise impaired due to negligence on the part of the producer) will receive a storage payment computed at the rate of 10 cents per bushel on the quantity delivered under the reseal program.

If the barley is delivered to CCC prior to April 30, 1951, upon request by the producer and with the approval of CCC, or in the case of loss assumed by CCC under the loan program, the amount of the storage payment will be prorated depending upon the length of time the barley was in store, provided delivery was not made as a result of a demand for repayment due to any fraudulent representation on the part of the producer, or the fact that the barley was damaged, abandoned, or otherwise impaired due to negligence on the part of the producer. The prorated storage payment will be computed at the rate of 1/20 of a cent per bushel a day beginning on July 1, 1950, but not to exceed 10 cents per bushel.

(b) *Track-loading payment.* A track-loading payment of 2 cents per bushel will be made to the producer on barley delivered in accordance with instructions of the county committee on track at a country point.

§ 602.142 *Maturity and satisfaction.* Loans will mature on demand but not later than April 30, 1951. The producer must pay off his loan plus interest on or before maturity or deliver the mortgaged barley in accordance with the instructions of the county committee. Credit will be given at the applicable settlement value, according to grade and/or quality, for the total quantity delivered, provided it was stored in the bin(s) in which the barley under loan was stored. The provisions in § 602.125 (a) of 1949 Barley Price Support Program Bulletin 1, Supplement 1, will be applicable in determining the settlement value of barley delivered to CCC under a reseal loan.

If the settlement value of the barley delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer by a sight draft drawn on CCC by the State PMA office.

If the settlement value of the barley delivered is less than the amount due on the loan, the amount of the deficiency plus interest shall be paid by the producer to CCC or may be set off against any payment which would otherwise be paid to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from CCC or any other agency of the United States.

In the event the farm is sold or there is a change of tenancy, the barley may be delivered before the maturity date of the loan upon prior approval by the county committee.

§ 602.143 *Support rates.* The support rates for the barley covered by a purchase agreement placed under a farm-storage loan will be the same as the support rates established for barley in § 602.124 of 1949 Barley Price Support Program Bulletin 1, Supplement 1.

Any discounts established for variation in grades as shown in the 1949 Barley Price Support Program Bulletin will apply.

§ 602.144 *PMA commodity offices.* The PMA commodity offices and the areas served by them are shown below:

Address and Area

Atlanta 3, Ga., 449 West Peachtree Street, NW.: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia.

Chicago 5, Ill., 623 South Wabash Avenue: Illinois, Indiana, Iowa, Michigan, Ohio.

Dallas 2, Tex., 1114 Commerce Street: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Kansas City 6, Mo., Fidelity Building, 911 Walnut Street: Colorado, Kansas, Missouri, Nebraska, Wyoming.

Minneapolis 1, Minn., Gamble-Skogmo Building, 15 North Eighth Street: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

New York 4, N. Y., 67 Broad Street, Room 1304: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia.

Portland 5, Oreg., 515 Southwest Tenth Avenue: Idaho, Oregon, Washington.

San Francisco 2, Calif., 335 Fell Street: Arizona, California, Nevada, Utah.

Issued this 9th day of May 1950.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 50-4074; Filed, May 11, 1950; 8:53 a. m.]

[1949 C. C. C. Grain Sorghums Bulletin 1, Supp. 2]

PART 621—GRAIN SORGHUMS

SUBPART—1949 GRAIN SORGHUMS RESEAL LOAN PROGRAM

This bulletin states the requirements with respect to a program (hereinafter referred to as the grain sorghums reseal program) to extend loans on 1949-crop grain sorghums in farm-storage and to make farm-storage loans available on 1949-crop grain sorghums covered by purchase agreements. The program has been formulated by the Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA) as part of the 1949 Grain Sorghums Price Support Program (14 F. R. 2969, 4587, 4651, 5417 and 15 F. R. 75, 1584). The program will be carried out by PMA under the general supervision and direction of the President, CCC.

Sec.

AUTHORITY: §§ 621.135 to 621.148 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply secs. 5, 1, 202, 62 Stat. 1072, 1247, 1252; 15 U. S. C. Sup., 714c, 7 U. S. C. and Sup., 1282, 1302.

§ 621.135 *Applicable sections of 1949 grain sorghums price support program.* The following sections of the 1949 Grain Sorghums Price Support Program, published in 14 F. R. 2969, 4587, 4651, 5417, and 15 F. R. 75, 1584, shall be applicable in their entirety to the 1949 Grain Sorghums Reseal Program: §§ 621.101 *Administration;* 621.103 *Approved lending agencies;* 621.108 *Determination of quantity;* 621.109 *Determination of dockage;* 621.110 *Liens;* 621.113 *Interest rate;* 621.115 *Safeguarding of the grain sorghums;* 621.116 *Insurance;* 621.117 *Loss or damage to the grain sorghums;* 621.118 *Personal liability;* 621.120 *Removal of the grain sorghums under loan;* 621.121 *Release of the grain sorghums under loan;* 621.122 *Purchase of notes;* 621.124 *Support rates.* Other sections of the 1949 Grain Sorghums Price Support Program Bulletin shall be applicable to the extent indicated herein.

§ 621.136 *Availability*—(a) *Area.* The reseal program will be available in all areas where farm-storage loans were available under the 1949 Grain Sorghums Price Support Program. Under this program, 1949-crop farm-storage loans will be extended and farm-storage loans will be made on 1949-crop grain sorghums covered by purchase agreements. Neither warehouse-storage loans nor purchase agreements will be available.

(b) *Time.* The producer who desires to participate in the reseal program rather than to repay his loan, deliver the grain sorghums under loan, or to sell his grain sorghums to CCC under his purchase agreement must file an application with the county committee before the final date for delivery specified in the delivery instructions issued to him by the county committee.

(c) *Source.* A producer desiring to participate in the reseal program should make application to the county committee which approved his loan or purchase agreement.

Disbursements of loans completed on grain sorghums covered by purchase agreements shall be made to producers by State PMA offices by means of sight drafts drawn on CCC or by approved lending agencies under agreements with CCC.

§ 621.137 *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation, or other legal entity who produced the grain sorghums in 1949 as landowner, landlords, tenant, or sharecropper and who either completed a farm-storage loan or signed a purchase agreement on farm-stored grain sorghums of the 1949 crop.

§ 621.138 *Eligible grain sorghums.* To be eligible, grain sorghums must be in farm-storage, must never have been commingled with grain sorghums produced by others, must be under loan or covered by a purchase agreement, and must meet the eligibility requirements for loans, as provided in § 621.105 of the 1949 Grain Sorghums Price Support Program.

(a) *Extended farm-storage loans.* The commodity loan inspector shall with the producer inspect the grain sorghums to determine if it is eligible. If recommended by either the commodity loan inspector or the producer, a sample of the grain sorghums shall be taken and submitted for grade analysis.

(b) *Farm-stored grain sorghums covered by purchase agreement.* If a producer makes application for a farm-storage loan on grain sorghums covered by a purchase agreement, the commodity loan inspector shall inspect the grain sorghums and storage structure, obtain a sample if the grain sorghums and structure appear eligible and proceed in the regular manner for the inspection of a commodity to be placed under loan.

§ 621.139 *Approved storage.* Grain sorghums covered by any loans extended and any new loans completed must be stored in structures which meet the requirements for farm-storage loans as provided in § 621.106 (a) of 1949 Grain Sorghums Price Support Program. Consent for storage for any loans extended or new loans completed must be obtained by the producer for the period ending May 31, 1951, if the structure is owned or controlled by someone other than the producer, or if the lease expires prior to May 31, 1951.

§ 621.140 *Approved forms.* The approved forms, which together with the provisions of the Bulletin govern the rights and responsibilities of the producer, shall be a producer's note, Commodity Loan Form A, secured by a chattel mortgage on Commodity Loan Form AA, an application form, and such other forms as may be prescribed by CCC. Notes and chattel mortgages must have State and documentary revenue stamps affixed thereto, where required by law.

Where required by State law, a new producer's note and chattel mortgage shall be completed when a farm-storage loan is extended.

§ 621.141 *Set-offs.* Any storage payment due the producer for storage of the commodity in farm-storage structures on which CCC has made or guaranteed a storage facility loan to the producer, shall be applied to such storage facility loan until the same is fully repaid. Any amount of such storage payments not so applied and any other storage payments, together with all payments for related services, due the producer shall be subject to set-off in the same manner as provided below for loan or purchase proceeds. If the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm-storage facilities, whether held by CCC or a lending agency, he must designate CCC or such lending agency as the payee of the proceeds of the loan or purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service fees and amounts due prior lien holders. If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lien holders. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 621.142 *Quantity eligible for resealing.* The quantity of grain sorghums eligible for reseal on an extended farm-storage loan will be the quantity shown on the original note and chattel mortgage, less any quantity delivered or redeemed.

A producer may obtain a loan on not in excess of the quantity of grain sorghums specified in the purchase agreement, minus any quantity of the grain sorghums under such purchase agreement (a) which has been previously converted to a loan or, (b) on which he exercises his option to sell to CCC.

§ 621.143 *Additional service charges.* When a farm-storage loan is extended, the producer will not be required to pay an additional service charge.

At the time a farm-storage loan is made to the producer on grain sorghums covered by a purchase agreement, the producer shall pay an additional service charge of 1 cent per 100 pounds on the

number of pounds placed under loan, or $1.50, whichever is greater. No refund of service charges will be made.

§ 621.144 *Transfer of producer's equity.* The right of the producer to transfer either his right to redeem the grain sorghums under loan or his remaining interest may be restricted by CCC.

§ 621.144 *Storage and track-loading payments*—(a) *Storage payment.* A producer who participates in the reseal program and in accordance with instructions of the county committee, delivers the grain sorghums to CCC on or after March 31, 1951, (or prior to March 31, 1951, pursuant to the demand by the President, CCC, for repayment of the loan, provided such demand for repayment is not due to any fraudulent representations on the part of the producer or the fact that the grain sorghums was damaged, abandoned, or otherwise impaired due to negligence on the part of the producer) will receive a full storage payment.

The amount of such storage payment is as follows:

	Cents per 100 pounds
Area I (Includes Arizona, California, Idaho, Minnesota, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, Superior, Wisconsin.)	17.8
Area II (Includes Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, Wyoming, Wisconsin, except Superior.)	19.2
Area III (Includes Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia.)	19.6
Area IV (Includes Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas.)	20.5

If the grain sorghums is delivered to CCC prior to March 31, 1951, upon request by the producer and with the approval of CCC, or in the case of loss assumed by CCC under the loan program, the amount of the storage payment will be prorated depending upon the length of time the grain sorghums was in store, provided delivery was not made as a result of a demand for repayment due to any fraudulent representation on the part of the producer, or the fact that the grain sorghums was damaged, abandoned, or otherwise impaired due to negligence on the part of the producer. The prorated storage payment will be computed as follows:

Area I: 0.089 of a cent per 100 pounds a day beginning on July 1, 1950, but not to exceed 17.8 cents per 100 pounds.

Area II: 0.096 of a cent per 100 pounds a day beginning on July 1, 1950, but not to exceed 19.2 cents per 100 pounds.

Area III: 0.098 of a cent per 100 pounds a day beginning on July 1, 1950, but not to exceed 19.6 cents per 100 pounds.

Area IV: 0.1025 of a cent per 100 pounds a day beginning on July 1, 1950, but not to exceed 20.5 cents per 100 pounds.

(b) *Track-loading payment.* A track-loading payment of 4 cents per 100 pounds will be made to the producer on grain sorghums delivered in accordance with instructions of the county committee on track at a country point.

§ 621.146 *Maturity and satisfaction.* Loans will mature on demand but not later than March 31, 1951. The producer must pay off his loan plus interest on or before maturity or deliver the mortgaged grain sorghums in accordance with the instructions of the county committee. Credit will be given at the applicable settlement value, according to grade and/or quality, for the total quantity delivered, provided it was stored in the structure(s) in which the grain sorghums under loan were stored. The provisions in § 621.125 (a) of 1949 Grain Sorghums Price Support Program Bulletin 1, Supplement 1, will be applicable in determining the settlement value of grain sorghums delivered to CCC under a reseal loan.

If the settlement value of the grain sorghums delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer by a sight draft drawn on CCC by the State PMA office.

If the settlement value of the grain sorghums delivered is less than the amount due on the loan, the amount of the deficiency plus interest shall be paid by the producer to CCC or may be set off against any payment which would otherwise be paid to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from CCC or any other agency of the United States. In the event the farm is sold or there is a change of tenancy, the grain sorghums may be delivered before the maturity date of the loan upon prior approval by the county committee.

§ 621.146 *Support rates.* The support rates for the grain sorghums covered by a purchase agreement placed under a farm-storage loan will be the same as the support rates established for grain sorghums in § 621.124 of 1949 Grain Sorghums Price Support Program Bulletin 1, Supplement 1.

§ 621.147 *PMA commodity offices.* The PMA commodity offices and the areas served by them are shown below:

Address and Area

Atlanta 3, Ga., 449 West Peachtree Street NW.: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia.

Chicago 5, Ill., 623 South Wabash Avenue: Illinois, Indiana, Iowa, Michigan, Ohio.

Dallas 2, Tex., 1114 Commerce Street: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Kansas City 6, Mo., Fidelity Building, 911 Walnut Street: Colorado, Kansas, Missouri, Nebraska, Wyoming.

Minneapolis 1, Minn., Gamble-Skogmo Building, 15 North Eighth Street: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

New York 4, N. Y., 67 Broad Street, Room 1304: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia.

Portland 5, Oreg., 515 Southwest Tenth Avenue: Idaho, Oregon, Washington.

San Francisco 2, Calif., 335 Fell Street: Arizona, California, Nevada, Utah.

Issued this 9th day of May 1950.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 50-4076; Filed, May 11, 1950; 8:53 a. m.]

[1949 C. C. C. Oats Bulletin 1, Amdt. 2]

PART 642—OATS

SUBPART—1949 OATS LOAN AND PURCHASE AGREEMENT PROGRAM

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration, published in 14 F. R. 2972, 4709 and 5417, governing the making of loans and containing the requirements of the purchase agreement program on oats produced in 1949 are hereby amended as follows:

Section 642.119 *Maturity and satisfaction*, paragraph (b) *Purchase agreements*, is amended to read as follows:

(b) *Purchase agreements.* The producer who signs a purchase agreement (Commodity Purchase Form 1) will not be obligated to sell any oats to CCC. However, the quantity which he stated in the purchase agreement will be the maximum quantity he may sell to CCC. If the producer who signs a purchase agreement wishes to sell oats to CCC he will have a 30-day period during which he must notify the county committee of his intention to sell. This period will end on April 30, 1950.

In the case of eligible oats stored in an approved warehouse, the producer must on May 1, 1950, submit warehouse receipts, under which the warehouseman guarantees quality and quantity, to the county committee for the quantity of such oats he elects to sell to CCC but not in excess of the quantity shown on Commodity Purchase Form 1. The producer may submit such warehouse receipts after May 1, but not later than June 1, 1950, only in cases where the eligible oats were in transit (or where it has been in transit during April 1950, but such warehouse receipts have not yet been issued): *Provided*, That the producer has notified the county committee of his intention to sell within the 30-day period referred to above.

In case of eligible oats stored in other than approved warehouse storage, the county committee will, on or after May 1, 1950, issue delivery instructions to the producer. The producer must then complete delivery within a 15-day period immediately following the date the county committee issues delivery instructions unless the county committee determines more time is needed for delivery. The quantity of oats delivered must not be in excess of the quantity shown on Commodity Purchase Form 1. Oats delivered under a purchase agreement will be purchased at the applicable settlement value

for the approved point of delivery. When delivery is completed, payment will be made by a sight draft drawn on CCC by the State PMA office on the basis of Commodity Purchase Form 4. The producer shall direct on such form to whom payment of the proceeds shall be made.

Eligible oats will be purchased on the basis of the weight, grade, and other quality factors shown on the warehouse receipts and/or accompanying documents; or, if such oats are delivered to a CCC storage facility, on the basis of the weight, grade, and other quality factors determined by the county committee (in accordance with instructions for the determination of such factors under the loan program) and agreed to by the producer at the time of delivery. The settlement value for oats delivered under a purchase agreement will be set forth in Supplement 1 to this bulletin.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets of applies secs. 1, 202, 62 Stat. 1247, 1252; 7 U. S. C. and Sup., 1282, 1302)

Issued this 8th day of May 1950.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 50-4036; Filed, May 11, 1950; 8:47 a. m.]

[1949 C. C. C. Oats Bulletin 1, Supp. 2]

PART 642—OATS

SUBPART—1949 OATS RESEAL LOAN PROGRAM

This bulletin states the requirements with respect to a program (hereinafter referred to as the oats reseal program) to extend loans on 1949-crop oats in farm-storage and to make farm-storage loans available on 1949-crop oats covered by purchase agreements. The program has been formulated by the Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA) as part of the 1949 Oats Price Support Program (14 F. R. 2972, 4709, 4710, 4713, 5417). The program will be carried out by PMA under the general supervision and direction of the President, CCC.

Sec.

AUTHORITY: §§ 642.131 to 642.144 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or apply secs. 5, 1, 202, 62 Stat. 1072, 1247, 1252; 15 U. S. C. Sup. 714c, 7 U. S. C. and Sup., 1282, 1302.

§ 642.131 *Applicable sections of 1949 oats price support program.* The following sections of the 1949 Oats Price Support Program, published in 14 F. R. 2972, 4709, 4710, 4713, and 5417, shall be applicable in their entirety to the 1949 Oats Reseal Program: §§ 642.101 *Administration;* 642.103 *Approved lending agencies;* 642.108 *Determination of quantity;* 642.109 *Determination of dockage;* 642.110 *Liens;* 642.113 *Interest rate;* 642.115 *Safeguarding of the oats;* 642.116 *Insurance;* 642.117 *Loss or damage to the oats;* 642.118 *Personal liability;* 642.120 *Removal of the oats under loan;* 642.121 *Release of the oats under loan;* 642.122 *Purchase of notes;* 642.124 *Support rates.* Other sections of the 1949 Oats Price Support Program Bulletin shall be applicable to the extent indicated herein.

§ 642.132 *Availability*—(a) *Area.* The reseal program will be available in all areas where farm-storage loans were available under the 1949 Oats Price Support Program. Under this program, 1949-crop farm-storage loans will be extended and farm-storage loans will be made on 1949-crop oats covered by purchase agreements. Neither warehouse-storage loans nor purchase agreements will be available.

(b) *Time.* The producer who desires to participate in the reseal program rather than to repay his loan, to deliver the oats under loan, or to sell his oats to CCC under his purchase agreement must file an application with the county committee before the final date for delivery specified in the delivery instructions issued to him by the county committee.

(c) *Source.* A producer desiring to participate in the reseal program should make application to the county committee which approved his loan or purchase agreement.

Disbursements of loans completed on oats covered by purchase agreements shall be made to producers by State PMA offices by means of sight drafts drawn on CCC or by approved lending agencies under agreements with CCC.

§ 642.133 *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation, or other legal entity who produced the oats in 1949 as landowner, landlord, tenant, or sharecropper and who either completed a farm-storage loan or signed a purchase agreement on farm-stored oats of the 1949 crop.

§ 642.134 *Eligible oats.* To be elegible, oats must be in farm storage, must never have been commingled with oats produced by others, must be under loan or covered by a purchase agreement, and must meet the eligibility requirements for loans, as provided in the 1949 Oats Price Support Program.

(a) *Extended farm-storage loans.* The commodity loan inspector shall with the producer inspect the oats to determine if it is eligible. If recommended by either the commodity loan inspector or the producer, a sample of the oats shall be taken and submitted for grade analysis.

(b) *Farm-storage oats covered by purchase agreement.* If a producer makes application for a farm-storage loan on oats covered by a purchase agreement, the commodity loan inspector shall inspect the oats and storage structure, obtain a sample if the oats and structure appear eligible, and proceed in the regular manner for the inspection of a commodity to be placed under loan.

§ 642.135 *Approved storage.* Oats covered by any loans extended and any new loans completed must be stored in structures which meet the requirements for farm-storage loans as provided in § 642.106 (a) of the 1949 Oats Price Support Program. Consent for storage for any loans extended or new loans completed must be obtained by the producer for the period ending June 30, 1951, if the structure is owned or controlled by someone other than the producer, or if the lease expires prior to June 30, 1951.

§ 642.136 *Approved forms.* The approved forms, which together with the provisions of the Bulletin govern the rights and responsibilities of the producer, shall be a producer's note, Commodity Loan Form A, secured by a chattel mortgage on Commodity Loan Form AA, an application form, and such forms as may be prescribed by CCC. Notes and chattel mortgages must have State and documentary revenue stamps affixed thereto where required by law.

Where required by State law, a new producer's note and chattel mortgage shall be completed when a farm-storage loan is extended.

§ 642.137 *Set-offs.* Any storage payment due the producer for storage of the commodity in farm storage structures on which CCC has made or guaranteed a storage facility loan to the producer, shall be applied to such storage facility loan until the same is fully repaid. Any amount of such storage payments not so applied and any other storage payments, together with all payments for related services, due the producer shall be subject to set-off in the same manner as provided below for loan or purchase proceeds.

If the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm-storage facilities, whether held by CCC or a lending agency, he must designate CCC or such lending agency as the payee of the proceeds of the loan or purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service fees and amounts due prior lien holders. If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lien hold-

ers. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 642.138 *Quantity eligible for reseal-ing.* The quantity of oats eligible for reseal on an extended farm-storage loan, will be the quantity shown on the original note and chattel mortgage, less any quantity delivered or redeemed.

A producer may obtain a farm-storage loan on not in excess of the quantity of oats specified in the purchase agreement, minus any quantity of the oats under such purchase agreement (1) which has been previously converted to a farm-storage loan or, (2) on which he exercises his option to sell to CCC.

§ 642.139 *Additional service charges.* When a farm-storage loan is extended, the producer will not be required to pay an additional service charge.

At the time a farm-storage loan is made to the producer on oats covered by a purchase agreement, the producer shall pay an additional service charge of ½ cent per bushel on the number of bushels placed under loan, or $1.50, whichever is greater. No refund of service charges will be made.

§ 642.140 *Transfer of producer's equity.* The right of the producer to transfer either his right to redeem the oats under loan or his remaining interest may be restricted by CCC.

§ 642.141 *Storage and track-loading payments*—(a) *Storage payment.* A producer who participates in the reseal program and in accordance with instructions of the county committee, delivers the oats to CCC on or after April 30, 1951, (or prior to April 30, 1951, pursuant to the demand by the President, CCC, for repayment of the loan, provided such demand for repayment is not due to any fraudulent representations on the part of the producer or the fact that the oats were damaged, abandoned or otherwise impaired due to negligence on the part of the producer) will receive a storage payment computed at the rate of 8 cents per bushel on the quantity delivered under the reseal program.

If the oats are delivered to CCC prior to April 30, 1951, upon request by the producer and with the approval of CCC, or in the case of loss assumed by CCC under the loan program, the amount of the storage payment will be prorated depending upon the length of time the oats were in store, provided delivery was not made as a result of a demand for repayment due to any fraudulent representation on the part of the producer, or the fact that the oats were damaged, abandoned, or otherwise impaired due to negligence on the part of the producer. The prorated storage payment will be computed at the rate of 1/25 of a cent per bushel a day beginning on July 1, 1950, but not to exceed 8 cents per bushel.

(b) *Track-loading payment.* A track-loading payment of 2 cents per bushel will be made to the producer on oats delivered in accordance with instructions of the county committee on track at a country point.

§ 642.142 *Maturity and satisfaction.* Loans will mature on demand but not later than April 30, 1951. The producer must pay off his loan plus interest on or before maturity or deliver the mortgaged oats in accordance with the instructions of the county committee. Credit will be given at the applicable settlement value, according to grade and/or quality, for the total quantity delivered, provided it was stored in the bin(s) in which the oats under loan were stored. The provisions in § 642.125 (a) of 1949 Oats Price Support Program Bulletin 1, Supplement 1, will be applicable in determining the settlement value of oats delivered to CCC under a reseal loan.

If the settlement value of the oats delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer by a sight draft drawn on CCC by the State PMA office.

If the settlement value of the oats delivered is less than the amount due on the loan, the amount of the deficiency plus interest shall be paid by the producer to CCC or may be set off against any payment which would otherwise be paid to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from CCC or any other agency of the United States. In the event the farm is sold or there is a change of tenancy, the oats may be delivered before the maturity date of the loan upon prior approval by the county committee.

§ 642.143 *Support rates.* The support rates for the oats covered by a purchase agreement placed under a farm-storage loan will be the same as the support rates established for oats in § 642.124 of the 1949 Oats Price Support Program Bulletin 1, Supplement 1.

§ 642.144 *PMA commodity offices.* The PMA commodity offices and the areas served by them are shown below:

Address and Area

Atlanta 3, Ga., 449 West Peachtree Street NW.: Alabama, Florida, Georgia, Kentucky, Misaissippi, North Carolina, South Carolina, Tennessee, Virginia.

Chicago 5, Ill., 623 South Wabash Avenue: Illinois, Indiana, Iowa, Michigan, Ohio.

Dallas 2, Tex., 1114 Commerce Street: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Kansas City 6, Mo., Fidelity Building, 911 Walnut Street: Colorado, Kansas, Missouri, Nebraska, Wyoming.

Minneapolis 1, Minn., Gamble-Skogmo Building, 15 North Eighth Street: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

New York 4, N. Y., 67 Broad Street, Room 1304: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia.

Portland 5, Oreg., 515 Southwest Tenth Avenue: Idaho, Oregon, Washington.

San Francisco 2, Calif., 335 Fell Street: Arizona, California, Nevada, Utah.

Issued this 9th day of May 1950.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 50-4077; Filed, May 11, 1950; 8:54 a. m.]

[1949 C. C. C. Flaxseed Bulletin 2, Amdt. 5]

PART 643—OILSEEDS

SUBPART—1949 FLAXSEED LOAN AND PURCHASE AGREEMENT PROGRAM

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration, published in 14 F. R. 3728, 5183, 7681, 15 F. R. 76 and 2076, governing the making of loans and containing the requirements of the purchase agreement program on flaxseed produced in 1949 are hereby amended as follows:

Section 643.133 *Maturity and satisfaction,* paragraph (b) *Purchase agreements,* is amended to read as follows:

(b) *Purchase agreements.* The producer who signs a purchase agreement (Commodity Purchase Form 1) will not be obligated to sell any flaxseed to CCC. However, the quantity stated in the purchase agreement will be the maximum quantity he may sell to CCC. If the producer who signs a purchase agreement wishes to sell flaxseed to CCC he will have a 30-day period during which he must notify the county committee of his intention to sell. This period will end on January 31, 1950, in the States of Arizona, California, and Texas and on April 30, 1950, in all other States.

In the case of eligible flaxseed stored in an approved warehouse, the producer must not later than the day following the final date of such 30-day period submit warehouse receipts under which the warehouseman guarantees quality and quantity to the county committee for the quantity of flaxseed he elects to sell to CCC but not in excess of the number of bushels shown on Commodity Purchase Form 1, except that in all States other than Arizona, California, and Texas, the producer may submit such warehouse receipts after May 1 but not later than June 1, 1950, only in cases where the eligible flaxseed was in transit (or where it has been in transit during April 1950 but such warehouse receipts have not been issued): *Provided,* That, the producer has notified the county committee of his intention to sell within the 30-day period referred to above.

In the case of eligible flaxseed stored in other than approved warehouse-storage, the county committee will on or after February 1, 1950, in the States of Arizona, California and Texas or on or after May 1, 1950 in all other States, issue delivery instructions to the producer.

The producer must then complete delivery within a 15-day period immediately following the date the county committee issues delivery instructions unless the county committee determines more time is needed for delivery. The quantity of flaxseed delivered must not be in excess of the quantity shown on Commodity Purchase Form 1. Flaxseed delivered under a purchase agreement will be purchased at the applicable settlement value for the approved point of delivery. When delivery is completed payment will be made by a sight draft drawn on CCC by the State PMA office on the basis of Commodity Purchase Form 4. The producer shall direct on such form to whom payment of the proceeds shall be made.

Eligible flaxseed will be purchased on the basis of the weight, grade and other quality factors shown on the warehouse receipts and/or accompanying documents; or if such flaxseed is delivered to a CCC storage facility on the basis of the weight, grade, and other quality factors determined by the county committee (in accordance with instructions for the determination of such factors under the loan program) and agreed to by the producer at the time of delivery.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies sec. 5, 1, 202, 62 Stat. 1072, 1247, 1252; 15 U. S. C. Sup. 714c, 7 U. S. C. and Sup., 1282, 1302)

Issued this 8th day of May 1950.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 50-4037; Filed, May 11, 1950; 8:47 a. m.]

1949 C. C. C. Flaxseed Bulletin 2, Supp. 1]

PART 643—OILSEEDS

SUBPART—1949 FLAXSEED RESEAL LOAN PROGRAM

This bulletin states the requirements with respect to a program (hereinafter referred to as the flaxseed reseal program) to extend loans on 1949-crop flaxseed in farm storage and to make farm-storage loans available on 1949-crop flaxseed covered by purchase agreements. The program has been formulated by the Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA) as part of the 1949 Flaxseed Price Support Program (14 F. R. 3728, 5183, 7681 and 15 F. R. 76, 2076). The program will be carried out by PMA under the general supervision and direction of the President, CCC.

Sec.
643.451 Applicable sections of 1949 flaxseed price support program.
643.452 Availability.
643.453 Eligible producer.
643.454 Eligible flaxseed.
643.455 Approved storage.
643.456 Approved forms.
643.457 Set-offs.
643.458 Quantity eligible for resealing.
643.459 Additional service charges.
643.460 Transfer of producer's equity.
643.461 Storage and track-loading payments.
643.462 Maturity and satisfaction.
643.463 Support rates.
643.464 PMA commodity offices.

AUTHORITY: §§ 643.451 to 643.464 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply secs. 5, 1, 202, 62 Stat. 1072, 1247, 1252; 15 U. S. C. Sup., 714c, 7 U. S. C. and Sup., 1282, 1302.

§ 643.451 *Applicable sections of 1949 flaxseed price support program.* The following sections of the 1949 Flaxseed Price Support Program, published in 14 F. R. 3728, 5183, 7681 and 15 F. R. 76, 2076, shall be applicable in their entirety to the 1949 Flaxseed Reseal Program: §§ 643.115 *Administration;* 643.122 *Determination of quantity;* 643.123 *Determination of dockage;* 643.124 *Liens;* 643.127 *Interest rate;* 643.129 *Safeguarding of the flaxseed;* 643.130 *Insurance;* 643.131 *Loss or damage to the flaxseed;* 643.132 *Personal liability;* 643.134 *Removal of the flaxseed under loan;* 643.135 *Release of the flaxseed under loan;* 643.137 *Purchase of notes;* 643.138 *Loan rates.* Other sections of 1949 Flaxseed Price Support Program Bulletin II shall be applicable to the extent indicated herein.

§ 643.452 *Availability*—(a) *Area.* The reseal program will be available in all areas where farm-storage loans were available under the 1949 Flaxseed Price Support Program. Under this program, 1949-crop farm-storage loans will be extended and farm-storage loans will be made on 1949-crop flaxseed covered by purchase agreements. Neither warehouse-storage loans nor purchase agreements will be available.

(b) *Time.* The producer who desires to participate in the reseal program rather than to repay his loan, to deliver the flaxseed under loan, or to sell his flaxseed to CCC under his purchase agreement must file an application with the county committee before the final date for delivery specified in the delivery instructions issued to him by the county committee.

(c) *Source.* A producer desiring to participate in the reseal program should make application to the county committee which approved his loan or purchase agreement. If a producer extends his farm-storage loan or takes out a loan on farm-stored flaxseed covered by a purchase agreement, the storage payment provided under § 643.461 (a) will be disbursed by sight draft drawn on CCC by the State PMA office at the time the reseal loan documents are completed.

Disbursements of loans completed on flaxseed covered by purchase agreements shall be made to producers by State PMA offices by means of sight drafts drawn on CCC.

§ 643.453 *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation, or other legal entity who produced the flaxseed in 1949 as landowner, landlord, tenant, or sharecropper and who either completed a farm-storage loan or signed a purchase agreement on farm-stored flaxseed of the 1949 crop.

§ 643.454 *Eligible flaxseed.* To be eligible, flaxseed must be in farm storage, must never have been commingled with flaxseed produced by others, must be under loan or covered by a purchase agreement, and must meet the eligibility requirements for loans, as provided in § 643.119 of the 1949 Flaxseed Price Support Program.

(a) *Extended farm-storage loans.* The commodity loan inspector shall, with the producer, inspect the flaxseed to determine if it is eligible. If recommended by either the commodity loan inspector or the producer, a sample of the flaxseed shall be taken and submitted for grade analysis.

(b) *Farm-storage flaxseed covered by purchase agreement.* If a producer makes application for a farm-storage loan on flaxseed covered by a purchase agreement, the commodity loan inspector shall inspect the flaxseed and storage structure, obtain a sample if the flaxseed and structure appear eligible, and proceed in the regular manner for the inspection of a commodity to be placed under loan.

§ 643.455 *Approved storage.* Flaxseed covered by any loans extended and any new loans completed must be stored in structures which meet the requirements for farm-storage loans as provided in § 643.120 (a) of the 1949 Flaxseed Price Support Program. Consent for storage for any loans extended or new loans completed must be obtained by the producer for the period ending June 30, 1951, if the structure is owned or controlled by someone other than the producer, or if the lease expires prior to June 30, 1951.

§ 643.456 *Approved forms.* The approved forms, which together with the provisions of the Bulletin govern the rights and responsibilities of the producer, shall be a producer's note, Commodity Loan Form A, secured by a chattel mortgage on Commodity Loan Form AA, an application form, and such other forms as may be prescribed by CCC. Notes and chattel mortgages must have State and documentary revenue stamps affixed thereto where required by law.

Where required by State law, a new producer's note and chattel mortgage shall be completed when a farm-storage loan is extended.

§ 643.457 *Set-offs.* Any storage payment due the producer for storage of the commodity in farm-storage structures on which CCC has made or guaranteed a storage facility loan to the producer, shall be applied to such storage facility loan until the same is fully repaid. Any amount of such storage payments not so applied and any other storage payments, together with all payments for related services, due the producer shall be subject to set-off in the same manner as provided below for loan proceeds. If the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm-storage facilities, whether held by CCC or a lend-

ing agency, he must designate CCC or such lending agency as the payee of the proceeds of the loan to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service fees and amounts due prior lienholders. If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lienholders. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 643.458 *Quantity eligible for reseal-ing.* The quantity of flaxseed eligible for reseal on an extended farm-storage loan, will be the quantity shown on the original note and chattel mortgage, less any quantity delivered or redeemed.

A producer may obtain a loan on not in excess of the quantity of flaxseed specified in the purchase agreement, minus any quantity of the flaxseed under such purchase agreement (a) which has been previously converted to a farm-storage loan or, (b) on which he exercises his option to sell to CCC.

§ 643.459 *Additional service charges.* When a farm-storage loan is extended, the producer will not be required to pay an additional service charge.

At the time a farm-storage loan is made to the producer on flaxseed covered by a purchase agreement, the producer shall pay an additional service charge of ½ cent per bushel on the number of bushels placed under loan, or $1.50, whichever is greater. No refund of service charges will be made.

§ 641.460 *Transfer of producer's equity.* The right of the producer to transfer either his right to redeem the flaxseed under loan or his remaining interest may be restricted by CCC.

§ 643.461 *Storage and track-loading payments*—(a) *Storage payment for 1949–50 period.* A producer who extends his farm-storage loan or who completes a loan on flaxseed covered by a purchase agreement will, at the time the loan is extended or new loan completed, receive a storage payment computed at the rate of 7 cents per bushel on the quantity covered by the reseal loan.

(b) *Storage payment for 1950–51 period.* A producer who participates in the reseal program and in accordance with instructions of the county committee, delivers the flaxseed to CCC on or after April 30, 1951 (or prior to April 30, 1951, pursuant to the demand by the President, CCC, for repayment of the loan, provided such demand for repayment is not due to any fraudulent representation on the part of the producer or the fact that the flaxseed was damaged, abandoned or otherwise impaired due to negligence on the part of the producer) will receive a storage payment computed at the rate of 11½ cents per bushel on the quantity delivered under the reseal program.

If the flaxseed is delivered to CCC prior to April 30, 1951, upon request by the producer and with the approval of CCC, or in the case of loss assumed by CCC under the loan program, the amount of the storage payment will be prorated depending upon the length of time the flaxseed was in store, provided delivery was not made as a result of a demand for repayment due to any fraudulent representation on the part of the producer, or the fact that the flaxseed was damaged, abandoned, or otherwise impaired due to negligence on the part of the producer. The prorated storage payment will be computed as follows: 1/30 of a cent per bushel a day beginning on July 1, 1950, but not to exceed 11½ cents per bushel.

(c) *Track-loading payment.* A track-loading payment of 2 cents per bushel will be made to the producer on flaxseed delivered in accordance with instructions of the county committee to CCC on track at a country point.

§ 643.462 *Maturity and satisfaction.* Loans will mature on demand but not later than April 30, 1951. The producer must pay off his loan plus interest and any storage payment made at the time the flaxseed was resealed on or before maturity or deliver the mortgaged flaxseed in accordance with the instructions of the county committee. Credit will be given at the applicable settlement value, according to grade and/or quality, for the total quantity delivered, provided it was stored in the structure(s) in which the flaxseed under loan was stored. The provisions in § 643.133 (a) of 1949 Flaxseed Price Support Program Bulletin II will be applicable in determining the settlement value of flaxseed delivered to CCC under a reseal loan.

If the settlement value of the flaxseed delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer by a sight draft drawn on CCC by the State PMA office.

If the settlement value of the flaxseed delivered is less than the amount due on the loan, the amount of the deficiency plus interest shall be paid by the producer to CCC or may be set off against any payment which would otherwise be paid to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from CCC or any other agency of the United States.

In the event the farm is sold or there is a change of tenancy, the flaxseed may be delivered before the maturity date of the loan upon prior approval by the county committee.

§ 643.463 *Support rates.* The support rates for the flaxseed covered by a purchase agreement placed under a farm-storage loan will be the same as the support rates established for flaxseed in § 643.138 of 1949 Flaxseed Price Support Program Bulletin II.

Any discounts established for variation in grades as shown in 1949 Flaxseed Price Support Program Bulletin II will apply.

§ 643.464 *PMA commodity offices.* The PMA commodity offices and the areas served by them are shown below:

Address and Area

Atlanta 3, Ga., 449 West Peachtree Street NW: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia.

Chicago 5, Ill., 623 South Wabash Avenue: Illinois, Indiana, Iowa, Michigan, Ohio.

Dallas 2, Tex., 1114 Commerce Street: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Kansas City 6, Mo., Fidelity Building, 911 Walnut Street: Colorado, Kansas, Missouri, Nebraska, Wyoming.

Minneapolis 1, Minn., Gamble-Skogmo Building, 15 North Eighth Street: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

New York 4, N. Y., 67 Broad Street, Room 1304: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia.

Portland 5, Oreg., 515 Southwest Tenth Avenue: Idaho, Oregon, Washington.

San Francisco 2, Calif., 335 Fell Street: Arizona, California, Nevada, Utah.

Issued this 9th day of May 1950.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 50–4075; Filed, May 11, 1950; 8:53 a. m.]

[1949 C. C. C. Rye Bulletin 1, Amdt. 2]

PART 656—RYE

SUBPART—1949 RYE LOAN AND PURCHASE AGREEMENT PROGRAM

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration, published in 14 F. R. 2975, 4479, 4656, 5419, 15 F. R. 77 and 1584, governing the making of loans and containing the requirements of the purchase agreement program on rye produced in 1949 are hereby amended as follows:

Section 656.119 *Maturity and satisfaction,* paragraph (b) *Purchase agreements,* is amended to read as follows:

(b) *Purchase agreements.* The producer who signs a purchase agreement (Commodity Purchase Form 1) will not be obligated to sell any rye to CCC. However, the quantity which he stated in the purchase agreement will be the maximum quantity he may sell to CCC. If the producer who signs a purchase agreement wishes to sell rye to CCC he will have a 30-day period during which he must notify the county committee of his intention to sell. This period will end on April 30, 1950.

In the case of eligible rye stored in an approved warehouse, the producer must on May 1, 1950, submit warehouse receipts, under which the warehouseman guarantees quality and quantity, to the county committee for the quantity of such rye he elects to sell to CCC but

not in excess of the quantity shown on Commodity Purchase Form 1. The producer may submit such warehouse receipts after May 1, but not later than June 1, 1950, only in cases where the eligible rye was in transit (or where it has been in transit during April 1950, but such warehouse receipts have not yet been issued): *Provided*, That the producer has notified the county committee of his intention to sell within the 30-day period referred to above.

In the case of eligible rye stored in other than approved warehouse storage, the county committee will, on or after May 1, 1950, issue delivery instructions to the producer. The producer must then complete delivery within a 15-day period immediately following the date the county committee issues delivery instructions unless the county committee determines more time is needed for delivery. The quantity of rye delivered must not be in excess of the quantity shown on Commodity Purchase Form 1. Rye delivered under a purchase agreement will be purchased at the applicable settlement value for the approved point of delivery. When delivery is completed, payment will be made by a sight draft drawn on CCC by the State PMA office, on the basis of Commodity Purchase Form 4. The producer shall direct on such form to whom payment of the proceeds shall be made.

Eligible rye will be purchased on the basis of the weight, grade, and other quality factors shown on the warehouse receipts and/or accompanying documents; or, if such rye is delivered to a CCC storage facility, on the basis of the weight, grade, and other quality factors determined by the county committee (in accordance with instructions for the determination of such factors under the loan program) and agreed to by the producer at the time of delivery. The settlement value for rye delivered under a purchase agreement will be set forth in Supplement 1 to this bulletin.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interprets or applies secs. 5, 1, 202, 62 Stat. 1072, 1247, 1252; 15 U. S. C. Sup., 714c, 7 U. S. C. and Sup., 1282, 1302)

Issued this 8th day of May 1950.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 50-4078; Filed, May 11, 1950; 8:54 a. m.]

[1949 C. C. C. Rye Bulletin 1, Supp. 2]

PART 656—RYE

SUBPART—1949 RYE RESEAL LOAN PROGRAM

This bulletin states the requirements with respect to a program (hereinafter referred to as the rye reseal program) to extend loans on 1949-crop rye in farm storage and to make farm-storage loans available on 1949-crop rye covered by purchase agreements. The program has been formulated by the Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA) as part of the 1949 Rye Price Support Program (14 F. R. 2975, 4479, 4656, 5419 and 15 F. R. 77, 1584). The program will be carried out by PMA under the general supervision and direction of the President, CCC.

Sec.
656.131 Applicable sections of 1949 rye price support program.
656.132 Availability.
656.133 Eligible producer.
656.134 Eligible rye.
656.135 Approved storage.
656.136 Approved forms.
656.137 Set-offs.
656.138 Quantity eligible for resealing.
656.139 Additional service charges.
656.140 Transfer of producer's equity.
656.141 Storage and truck-loading payments.
656.142 Maturity and satisfaction.
656.143 Support rates.
656.144 PMA Commodity Offices.

AUTHORITY: §§ 656.131 to 656.144 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply secs. 5, 1, 202, 62 Stat. 1072, 1247, 1252; 15 U. S. C. Sup. 714c, 7 U. S. C. and Sup., 1282, 1302.

§ 656.131 *Applicable sections of 1949 rye price support program.* The following sections of the 1949 Rye Price Support Program, published in 14 F. R. 2975, 4479, 4656, 5419, and 15 F. R. 77, 1584) shall be applicable in their entirety to the 1949 Rye Reseal Program: §§ 656.101 *Administration;* 656.103 *Approved lending agencies;* 656.108 *Determination of quantity;* 656.109 *Determination of dockage;* 656.110 *Liens;* 656.113 *Interest rate;* 656.115 *Safeguarding of the rye;* 656.116 *Insurance;* 656.117 *Loss or damage to the rye;* 656.118 *Personal liability;* 656.120 *Removal of the rye under loan;* 656.121 *Release of the rye under loan;* 656.122 *Purchase of notes;* 656.124 *Support rates.* Other sections of the 1949 Rye Price Support Program Bulletin shall be applicable to the extent indicated herein.

§ 656.132 *Availability*—(a) *Area.* The reseal program will be available in all areas where farm-storage loans were available under the 1949 Rye Price Support Program. Under this program, 1949-crop farm-storage loans will be extended and farm-storage loans will be made on 1949-crop rye covered by purchase agreements. Neither warehouse-storage loans nor purchase agreements will be available.

(b) *Time.* The producer who desires to participate in the reseal program rather than to repay his loan, to deliver the rye under loan, or to sell his rye to CCC under his purchase agreement must file an application with the county committee before the final date for delivery specified in the delivery instructions issued to him by the county committee.

(c) *Source.* A producer desiring to participate in the reseal program should make application to the county committee which approved his loan or purchase agreement.

Disbursements of loans completed on rye covered by purchase agreements shall be made to producers by State PMA offices by means of sight drafts drawn on CCC or by approved lending agencies under agreements with CCC.

§ 656.133 *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation, or other legal entity who produced the rye in 1949 as landowner, landlord, tennant, or sharecropper and who either completed a farm-storage loan or signed a purchase agreement on farm-stored rye of the 1949 crop.

§ 656.134 *Eligible rye.* To be eligible, rye must be in farm storage, must never have been commingled with rye produced by others, must be under loan or covered by a purchase agreement, and must meet the eligibility requirements for loans, as provided in the 1949 Rye Price Support Program.

(a) *Extended farm-storage loans.* The commodity loan inspector shall with the producer inspect the rye to determine if it is eligible. If recommended by either the commodity loan inspector or the producer, a sample of the rye shall be taken and submitted for grade analysis.

(b) *Farm-storage rye covered by purchase agreement.* If a producer makes application for a farm-storage loan on rye covered by a purchase agreement, the commodity loan inspector shall inspect the rye and storage structure, obtain a sample if the rye and structure appear eligible, and proceed in the regular manner for the inspection of a commodity to be placed under loan.

§ 656.135 *Approved storage.* Rye covered by any loans extended and any new loans completed must be stored in structures which meet the requirements for farm-storage loans as provided in § 656.106 (a) of the 1949 Rye Price Support Program. Consent for storage for any loans extended or new loans completed must be obtained by the producer for the period ending June 30, 1951, if the structure is owned or controlled by someone other than the producer, or if the lease expires prior to June 30, 1951.

§ 656.136 *Approved forms.* The approved forms, which together with the provisions of the Bulletin govern the rights and responsibilities of the producer, shall be a producer's note, Commodity Loan Form A, secured by a chattel mortgage on Commodity Loan Form AA, an application form, and such forms as may be prescribed by CCC. Notes and chattel mortgages must have State and documentary revenue stamps affixed thereto where required by law.

Where required by State law, a new producer's note and chattel mortgage shall be completed when a farm-storage loan is extended.

§ 656.137 *Set-offs.* Any storage payment due the producer for storage of the commodity in farm-storage structures on which CCC has made or guaranteed a storage facility loan to the producer, shall be applied to such storage facility loan until the same is fully repaid. Any amount of such storage payments not so applied and any other storage payments, together with all payments for related services due the producer shall be sub-

ject to set-off in the same manner as provided below for loan or purchase proceeds. If the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm-storage facilities, whether held by CCC or a lending agency, he must designate CCC or such lending agency as the payee of the proceeds of the loan or purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service fees and amounts due prior lien holders. If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lien holders. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 656.138 *Quantity eligible for reseal-ing.* The quantity of rye eligible for reseal on an extended farm-storage loan will be the quantity shown on the original note and chattel mortgage, less any quantity delivered or redeemed.

A producer may obtain a farm-storage loan on not in excess of the quantity of rye specified in the purchase agreement, minus any quantity of the rye under such purchase agreement (a) which has been previously converted to a farm-storage loan or, (b) on which he exercises his option to sell to CCC.

§ 656.139 *Additional service charges.* When a farm-storage loan is extended, the producer will not be required to pay an additional service charge.

At the time a farm-storage loan is made to the producer on rye covered by a purchase agreement, the producer shall pay an additional service charge of ½ cent per bushel on the number of bushels placed under loan, or $1.50, whichever is greater. No refund of service charges will be made.

§ 656.140 *Transfer of producer's equity.* The right of the producer to transfer either his right to redeem the rye under loan or his remaining interest may be restricted by CCC.

§ 656.141 *Storage and track-loading payments*—(a) *Storage payment.* A producer who participates in the reseal program and in accordance with instructions of the county committee, delivers the rye to CCC on or after April 30, 1951 (or prior to April 30, 1951, pursuant to the demand by the President, CCC, for repayment of the loan, provided such demand for repayment is not due to any fraudulent representations on the part of the producer or the fact that the rye was damaged, abandoned or otherwise impaired due to negligence on the part of the producer), will receive a full storage payment.

The amount of such storage payment is as follows:

	Cents per bushel
Area I (Includes Arizona, California, Idaho, Minnesota, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, also Superior, Wis.)	10
Area II (Includes Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, Wyoming, Wisconsin, except Superior.)	10¾
Area III (Includes Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia.)	11
Area IV (Includes Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas.)	11½

If the rye is delivered to CCC prior to April 30, 1951, upon request by the producer and with the approval of CCC, or in the case of loss assumed by CCC under the loan program, the amount of the storage payment will be prorated depending upon the length of time the rye was in store, provided delivery was not made as a result of a demand for repayment due to any fraudulent representation on the part of the producer, or the fact that the rye was damaged, abandoned, or otherwise impaired due to negligence on the part of the producer. The prorated storage payment will be computed as follows:

Area I: 1/20 of a cent per bushel a day beginning on July 1, 1950, but not to exceed 10 cents per bushel.

Area II: 1/20 of a cent per bushel a day beginning on July 1, 1950, but not to exceed 10¾ cents per bushel.

Area III: 1/20 of a cent per bushel a day beginning on July 1, 1950, but not to exceed 11 cents per bushel.

Area IV: 1/20 of a cent per bushel a day beginning on July 1, 1950, but not to exceed 11½ cents per bushel.

(b) *Track-loading payment.* A track-loading payment of 2 cents per bushel will be made to the producer on rye delivered in accordance with instructions of the county committee on track at a country point.

§ 656.142 *Maturity and satisfaction.* Loans will mature on demand but not later than April 30, 1951. The producer must pay off his loan plus interest on or before maturity or deliver the mortgaged rye in accordance with the instructions of the county committee. Credit will be given at the applicable settlement value, according to grade and/or quality, for the total quantity delivered, provided it was stored in the bin(s) in which the rye under loan was stored. The provisions in § 656.125 (a) of 1949 Rye Price Support Program Bulletin 1, Supplement 1, will be applicable in determining the settlement value of rye delivered to CCC under a reseal loan.

If the settlement value of the rye delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer by a sight draft drawn on CCC by the State PMA office.

If the settlement value of the rye delivered is less than the amount due on the loan, the amount of the deficiency plus interest shall be paid by the producer to CCC or may be set off against any payment which would otherwise be paid to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from CCC or any other agency of the United States.

In the event the farm is sold or there is a change of tenancy, the rye may be delivered before the maturity date of the loan upon prior approval by the county committee.

§ 656.143 *Support rates.* The support rates for the rye covered by a purchase agreement placed under a farm-storage loan will be the same as the support rates established for rye in § 656.124 of the 1949 Rye Price Support Program Bulletin 1, Supplement 1.

Any discounts established for variation in grades as shown in the 1949 Rye Price Support Program Bulletin will apply.

§ 656.144 *PMA commodity offices.* The PMA commodity offices and the areas served by them are shown below:

Address and Area

Atlanta 3, Ga., 449 West Peachtree Street NW.: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia.

Chicago 5, Ill., 623 South Wabash Avenue: Illinois, Indiana, Iowa, Michigan, Ohio.

Dallas 2, Tex., 1114 Commerce Street: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Kansas City 6, Mo., Fidelity Building, 911 Walnut Street: Colorado, Kansas, Missouri, Nebraska, Wyoming.

Minneapolis 1, Minn., Gamble-Skogmo Building, 15 North Eighth Street: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

New York 4, N. Y., 67 Broad Street, Room 1304: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia.

Portland 5, Oreg., 515 Southwest Tenth Avenue: Idaho, Oregon, Washington.

San Francisco 2, Calif., 335 Fell Street: Arizona, California, Nevada, Utah.

Issued this 9th day of May 1950.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 50-4079; Filed, May 11, 1950; 8:54 a. m.]

[1949 C. C. C. Wheat Bulletin 1, Amdt. 2]

PART 671—WHEAT

SUBPART—1949 WHEAT LOAN AND PURCHASE AGREEMENT PROGRAM

The regulations issued by Commodity Credit Corporation and the Production

and Marketing Administration, published in 14 F. R. 3733, 4535, 5185, 5420, 6509, 15 F. R. 78 and 1584, governing the making of loans and containing the requirements of the purchase agreement program on wheat produced in 1949 are hereby amended as follows:

Section 671.119 *Maturity and satisfaction*, paragraph (b) *Purchase agreements*, is amended to read as follows:

(b) *Purchase agreements.* The producer who signs a purchase agreement (Commodity Purchase Form 1) will not be obligated to sell any wheat to CCC. However, the quantity which he stated in the purchase agreement will be the maximum quantity he may sell to CCC. If the producer who signs a purchase agreement wishes to sell wheat to CCC he will have a 30-day period during which he must notify the county committee of his intention to sell. This period will end on April 30, 1950.

In the case of eligible wheat stored in an approved warehouse, the producer must on May 1, 1950, submit warehouse receipts, under which the warehouseman guarantees quality and quantity, to the county committee for the quantity of such wheat he elects to sell to CCC but not in excess of the quantity shown on Commodity Purchase Form 1. The producer may submit such warehouse receipts after May 1, but not later than June 1, 1950, only in cases where the eligible wheat was in transit (or where it has been in transit during April 1950, but such warehouse receipts have not yet been issued): *Provided*, That the producer has notified the county committee of his intention to sell within the 30-day period referred to above.

In the case of eligible wheat stored in other than approved warehouse storage, the county committee will, on or after May 1, 1950, issue delivery instructions to the producer. The producer must then complete delivery within a 15-day period immediately following the date the county committee issued delivery instructions unless the county committee determines more time is needed for delivery. The quantity of wheat delivered must not be in excess of the quantity shown on Commodity Purchase Form 1. Wheat delivered under a purchase agreement will be purchased at the applicable settlement value for the approved point of delivery. When delivery is completed, payment will be made by a sight draft drawn on CCC by the State PMA office on the basis of Commodity Purchase Form 4. The producer shall direct on such form to whom payment of the proceeds shall be made.

Eligible wheat will be purchased on the basis of the weight, grade, protein content, and other quality factors shown on the warehouse receipts and/or accompanying documents; or, if such wheat is delivered to a CCC storage facility, on the basis of the weight, grade, protein content, and other quality factors determined by the county committee (in accordance with instructions for the determination of such factors under the loan program) and agreed to by the producer at the time of delivery.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interprets or applies secs. 5, 1, 62 Stat. 1072, 1247; 15 U. S. C. Sup. 714c, 7 U. S. C. and Sup. 1282)

Issued this 8th day of May 1950.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 50-4080; Filed, May 11, 1950; 8:54 a. m.]

[1949 C. C. C. Wheat Bulletin 1, Supp. 2]

PART 671—WHEAT

SUBPART—1949 WHEAT RESEAL LOAN PROGRAM

This bulletin states the requirements with respect to a program (hereinafter referred to as the wheat reseal program) to extend loans on 1949-crop wheat in farm-storage and to make farm-storage loans available on 1949-crop wheat covered by purchase agreements. The program has been formulated by the Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA) as part of the 1949 Wheat Price Support Program (14 F. R. 3733, 4535, 5185, 5420, 6509 and 15 F. R. 78). The program will be carried out by PMA under the general supervision and direction of the President, CCC.

Sec.
671.215 Applicable sections of 1949 wheat price suport program.
671.216 Availability.
671.217 Eligible producer.
671.218 Eligible wheat.
671.219 Approved storage.
671.220 Approved forms.
671.221 Set-offs.
671.222 Quantity eligible for resealing.
671.223 Additional service charges.
671.224 Transfer of producer's equity.
671.225 Storage and track-loading payments.
671.226 Maturity and satisfaction.
671.227 Support rates.
671.228 PMA Commodity Offices.

AUTHORITY: §§ 671.215 to 671.228 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply secs. 5, 1, 62 Stat. 1072, 1247; 15 U. S. C. Sup., 714c, 7 U. S. C. and Sup. 1282.

§ 671.215 *Applicable sections of 1949 wheat price support program.* The following sections of the 1949 Wheat Price Support Program, published in 14 F. R. 3733, 4535, 5185, 5420, 6509, and 15 F. R. 78, shall be applicable in their entirety to the 1949 Wheat Reseal Program: §§ 671.101 *Administration;* 671.108 *Determination of quantity;* 671.109 *Determination of dockage;* 671.110 *Liens;* 671.112 *Set-offs;* 671.113 *Interest rate;* 671.115 *Safeguarding of the wheat;* 671.116 *Insurance;* 671.117 *Loss or damage to the wheat;* 671.118 *Personal liability;* 671.120 *Removal of the wheat under loan;* 671.121 *Release of the wheat under loan;* 671.122 *Purchase of notes;* 671.124 *Support rates.* Other sections of the 1949 Wheat Price Support Program Bulletin shall be applicable to the extent indicated herein.

§ 671.216 *Availability*—(a) *Area.* The reseal program will be available in all areas where farm-storage loans were available under the 1949 Wheat Price Support Program. Under this program, 1949 crop farm-storage loans will be extended and farm-storage loans will be made on 1949 crop wheat covered by purchase agreements. Neither warehouse storage loans nor purchase agreements will be available.

(b) *Time.* The producer who desires to participate in the reseal program rather than to repay his loan, to deliver the wheat under loan, or to sell his wheat to CCC under his purchase agreement must file an application with the county committee before the final date for delivery specified in the delivery instructions issued to him by the county committee.

(c) *Source.* A producer desiring to participate in the reseal program should make application to the county committee which approved his loan or purchase agreement. If a producer extends his farm-storage loan or takes out a loan on farm-stored wheat covered by a purchase agreement, the storage payment provided under § 671.224 (a) will be disbursed by sight draft drawn on CCC by the State PMA office at the time the reseal loan documents are completed. Disbursements of loans completed on wheat covered by purchase agreements shall be made to producers by State PMA offices by means of sight drafts drawn on CCC.

§ 671.217 *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation, or other legal entity who produced the wheat in 1949 as landowner, landlord, tenant, or sharecropper and who either completed a farm-storage loan or signed a purchase agreement on farm-storage wheat of the 1949 crop.

§ 671.218 *Eligible wheat.* To be eligible, wheat must be in farm-storage, must never have been commingled with wheat produced by others, must be under loan or covered by a purchase agreement, and must meet the eligibility requirements for loans, as provided in § 671.105 of the 1949 Wheat Price Support Program.

(a) *Extended farm-storage loans.* The commodity loan inspector shall with the producer inspect the wheat to determine if it is eligible. If recommended by either the commodity loan inspector or the producer a sample of the wheat shall be taken and submitted for grade analysis.

(b) *Farm-storage wheat covered by purchase agreement.* If a producer makes application for a farm-storage loan on wheat covered by a purchase agreement the commodity loan inspector shall inspect the wheat and storage structure, obtain a sample if the wheat and structure appear eligible and proceed in the regular manner for the inspection of a commodity to be placed under loan.

§ 671.219 *Approved storage.* Wheat covered by any loans extended and any new loans completed must be stored in structures which meet the requirements

for farm-storage loans as provided in 1949 Wheat Price Support Program. Consent for storage for any loans extended or new loans completed must be obtained by the producer for the period ending June 30, 1951, if the structure is owned or controlled by someone other than the producer, or if the lease expires prior to June 30, 1951.

§ 671.220 *Approved forms.* The approved forms, which together with the provisions of the Bulletin govern the rights and responsibilities of the producer, shall be a producer's note, Commodity Loan Form A, secured by a chattel mortgage on Commodity Loan Form AA, an application form, and such other forms as may be prescribed by CCC. Notes and chattel mortgages must have State and documentary revenue stamps affixed thereto where required by law.

Where required by State law, a new producer's note and chattel mortgage shall be completed when a farm-storage loan is extended.

§ 671.221 *Set-offs.* Any storage payment due the producer for storage of the commodity in farm-storage structures on which CCC has made or guaranteed a storage facility loan to the producer, shall be applied to such storage facility loan until the same is fully repaid. Any amount of such storage payments not so applied and any other storage payments, together with all payments for related services, due the producer shall be subject to set-off in the same manner as provided below for loan or purchase proceeds. If the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm-storage facilities, whether held by CCC or a lending agency, he must designate CCC or such lending agency as the payee of the proceeds of the loan or purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service fees and amounts due prior lienholders. If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lien holders. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 671.222 *Quantity eligible for reseal-ing.* The quantity of wheat eligible for reseal on an extended farm-storage loan, will be the quantity shown on the original note and chattel mortgage, less any quantity delivered or redeemed.

A producer may obtain a loan on not in excess of the quantity of wheat specified in the purchase agreement, minus any quantity of the wheat under such purchase agreement (a) which has been previously converted to a loan or, (b) on which he exercises his option to sell to CCC.

§ 671.223 *Additional service charges.* When a farm-storage loan is extended, the producer will not be required to pay an additional service charge.

At the time a farm-storage loan is made to the producer on wheat covered by a purchase agreement the producer shall pay an additional service charge of ½ cent per bushel on the number of bushels placed under loan, or $1.50, whichever is greater.

No refund of service charges will be made.

§ 671.224 *Transfer of producer's equity.* The right of the producer to transfer either his right to redeem the wheat under loan or his remaining interest may be restricted by CCC.

§ 671.225 *Storage and track-loading payments*—(a) *Storage payment for 1949–50 period.* A producer who extends his farm-storage loan or who completes a loan on wheat covered by a purchase agreement will, at the time the loan is extended or new loan completed, receive a storage payment computed at the rate of 7 cents per bushel on the quantity covered by the reseal loan.

(b) *Storage payment for 1950–51 period.* A producer who participates in the reseal program and in accordance with instructions of the county committee, delivers the wheat to CCC on or after April 30, 1951, (or prior to April 30, 1951, pursuant to the demand by the President, CCC, for repayment of the loan, provided such demand for repayment is not due to any fraudulent representation on the part of the producer or the fact that the wheat was damaged, abandoned or otherwise impaired due to negligence on the part of the producer) will receive a full storage payment.

The amount of such storage payment is as follows:

	Cents per bushel
Area I (Includes Arizona, California, Idaho, Minnesota, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, also Superior, Wis.)	10
Area II (Includes, Colorado, Illinois,, Iowa, Kansas, Missouri, Nebraska, Wyoming, Wisconsin, except Superior.)	10¾
Area III (Includes Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia.)	11
Area IV (Includes Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas.)	11½

If the wheat is delivered to CCC prior to April 30, 1951, upon request by the producer and with the approval of CCC, or in the case of loss assumed by CCC under the loan program, the amount of the storage payment will be prorated depending upon the length of time the wheat was in store, provided delivery was not made as a result of a demand for repayment due to any fraudulent representation on the part of the producer, or the fact that the wheat was damaged, abandoned, or otherwise impaired due to negligence on the part of the producer. The prorated storage payment will be computed as follows:

Area I: 1/20 of a cent a day beginning on July 1, 1950, but not to exceed 10 cents per bushel.

Area II: 1/20 of a cent a day beginning on July 1, 1950, but not to exceed 10¾ cents per bushel.

Area III: 1/20 of a cent a day beginning on July 1, 1950, but not to exceed 11 cents per bushel.

Area IV: 1/20 of a cent a day beginning on July 1, 1950 but not to exceed 11½ cents per bushel.

(c) *Track-loading payment.* A track-loading payment of 2¢ per bushel will be made to the producer on wheat delivered in accordance with instructions of the county committee to CCC on track at a country point.

§ 671.226 *Maturity and satisfaction.* Loans will mature on demand but not later than April 30, 1951. The producer must pay off his loan plus interest and any storage payment made at the time the wheat was resealed on or before maturity or deliver the mortgaged wheat in accordance with the instructions of the county committee.

Credit will be given at the applicable settlement value, according to grade and/or quality, for the total quantity delivered, provided it was stored in the bin(s) in which the wheat under loan was stored. The provisions in § 671.125 (a) of 1949 Wheat Price Support Program Bulletin 1, Supplement 1, will be applicable in determining the settlement value of wheat delivered to CCC under a reseal loan.

If the settlement value of the wheat delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer by a sight draft drawn on CCC by the State PMA office.

If the settlement value of the wheat delivered is less than the amount due on the loan, the amount of the deficiency plus interest shall be paid by the producer to CCC or may be set off against any payment which would otherwise be paid to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from CCC or any other agency of the United States. In the event the farm is sold or there is a change of tenancy, the wheat may be delivered before the maturity date of the loan upon prior approval by the county committee.

§ 671.227 *Support rates.* The support rates for the wheat covered by a purchase agreement placed under a farm-storage loan will be the same as the support rates established for wheat in § 671.124 of the 1949 Wheat Price Support Program Bulletin 1, Supplement 1.

Any discounts or premiums established for variation in grades as shown in the 1949 Wheat Price Support Program Bulletin will apply.

§ 671.228 *PMA commodity offices.* The PMA commodity offices and the areas served by them are shown below:

Address and Area

Atlanta 3, Ga., 449 West Peachtree Street NW.: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia.

Chicago 5, Ill., 623 South Wabash Avenue: Illinois Indiana, Iowa, Michigan, Ohio.

Dallas 2, Tex., 1114 Commerce Street: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Kansas City 6, Mo., Fidelity Building, 911 Walnut Street: Colorado, Kansas, Missouri, Nebraska, Wyoming.

Minneapolis 1, Minn., Gamble-Skogmo Building, 15 North Eighth Street: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

New York 4, N. Y., 67 Broad Street, Room 1304: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia.

Portland 5, Oreg., 515 Southwest Tenth Avenue: Idaho, Oregon, Washington.

San Francisco 2, Calif., 335 Fell Street: Arizona, California, Nevada, Utah.

Issued this 9th day of May 1950.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

RALPH S. TRIGG,
President,
Commodity Credit Corporation.

[F. R. Doc. 50-4081; Filed, May 11, 1950; 8:54 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 70—GRADING AND INSPECTION OF POULTRY AND DOMESTIC RABBITS AND EDIBLE PRODUCTS THEREOF; UNITED STATES SPECIFICATIONS FOR CLASSES, STANDARDS AND GRADES WITH RESPECT THERETO

SUBPART D—FORMS, INSTRUCTIONS, AND PREREQUISITES TO GRADING AND INSPECTION SERVICE

On April 5, 1950, notice of proposed rule-making regarding prerequisites to grading service with respect to ready-to-cook poultry and read-to-cook domestic rabbits was published in the FEDERAL REGISTER (15 F. R. 1914). Authority for this action is contained in § 70.13 *Prerequisites to grading and inspection* of the rules governing the grading and inspection of poultry and edible products thereof (14 F. R. 6835, 7727; 7 CFR Part 70), which were issued pursuant to the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1950 (Pub. Law 146, 81st Cong., 1st Sess., approved June 29, 1949) and became effective January 1, 1950.

In order to effectuate the purposes of the aforesaid regulations and to maximize the benefits of the grading service thereunder, the prerequisites hereinafter set forth are deemed necessary to assist the grader (who examines the carcass of any ready-to-cook poultry or ready-to-cook domestic rabbit to ascertain its quality and condition) in determining whether any such carcass is unwholesome or otherwise unfit for human food. Without this assistance to the grader, it would be difficult, at times, to determine whether the carcass is unfit for food since the viscera which was removed prior to the time of offering the carcass to the grader may have contained the only visible evidence of unwholesomeness. This responsibility, which is in the nature of a reasonable safeguard, should be assumed by each official plant in which the grading service is performed. The requirements regarding the disposition by the plant of all condemned products are similarly important and necessary.

After consideration of all relevant matters presented (including the proposals set forth in the aforesaid notice), the following prerequisites are prescribed, to become effective at the time hereinafter stated, for the performance of grading service in accordance with § 70.3 (c) *Grading of ready-to-cook poultry and ready-to-cook domestic rabbits:*

§ 70.302 *Prerequisites to grading of ready-to-cook poultry and ready-to-cook domestic rabbits.* As a prerequisite to the performance of grading service in accordance with § 70.3 (c) *Grading of ready-to-cook poultry and ready-to-cook domestic rabbits* and § 70.37 *Ready-to-cook poultry and ready-to-cook domestic rabbits in an official plant only*, each carcass of ready-to-cook poultry and ready-to-cook domestic rabbit which is submitted for such service shall have been examined by a qualified employee of the official plant during the evisceration process for any condition which may render the carcass unwholesome or otherwise unfit for food. Each such carcass, or part thereof, that is found by such employee to be unwholesome or otherwise unfit for human food shall be condemned and receive such treatment as will prevent its use for human food and preclude dissemination of disease through consumption by animals. Watertight receptacles for holding and handling all unfit carcasses and parts thereof shall be furnished by the official plant; such receptacles shall be so constructed as to be readily and thoroughly cleaned; and shall be marked in a conspicuous and legible manner with the word "condemned" in letters not less than two inches high. The aforesaid employee shall maintain a daily record of all unfit carcasses and parts of carcasses that were condemned and shall furnish such record to the grader daily.

(Sec. 205, 60 Stat. 1090, Pub. Law 146, 81st Cong.; 7 U. S. C. 1624. Interprets or applies sec. 203, 60 Stat. 1087; 7 U. S. C. 1622)

Issued at Washington, D. C., this 9th day of May 1950, to become effective thirty days following publication in the FEDERAL REGISTER.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 50-4088; Filed, May 11, 1950; 8:55 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

PART 131—HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

DETERMINATION RELATIVE TO BUDGET OF EXPENSES AND FIXING RATES OF ASSESSMENT FOR 1950

On April 12, 1950, a notice of proposed rule making was published in the FEDERAL REGISTER (14 F. R. 2857) regarding the budget of expenses and the fixing of the rates of assessment for the calendar year 1950 under the marketing agreement and the marketing order (9 CFR 131.1 et seq.; 12 F. R. 5385), regulating the handling of anti-hog-cholera serum and hog-cholera virus. This regulatory program is effective pursuant to Public Law No. 320, 74th Congress, approved August 24, 1935 (7 U. S. C. 851 et seq.). After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, it is hereby found and determined that:

§ 131.101 *Budget of expenses and rates of assessment for the calendar year 1950*—(a) *Budget of expenses.* The expenses which will necessarily be incurred by the control agency, established pursuant to the provisions of the marketing agreement and of the marketing order, for the maintenance and functioning of said control agency during the calendar year 1950, will amount to $37,280, from which shall be deducted the unexpended balance of $8,349.44 on hand with said control agency on January 1, 1950, from assessments collected during the calendar year 1949, leaving a balance of $28,930.56 to be collected during the calendar year 1950.

(b) *Rates of assessment.* Of the amount of $28,930.56 to be collected during the calendar year 1950, the sum of $27,930.56 shall be assessed against handlers who are manufacturers, and $1,000 shall be assessed against handlers who, as distributors, market their products principally through veterinarians or other channels. The pro rata share of the expense of the control agency to be paid for the calendar year 1950 by each handler who is a manufacturer shall be $16.26 per million cubic centimeters (determined by the nearest whole number) of hyperimmune blood collected by such handler during the calendar year 1949; and the pro rata share of such expenses to be paid for the calendar year 1950 by each handler who, as a distributor, markets his products principally through veterinarians or other channels shall be $2.10 per million cubic centimeters (determined by the nearest whole number) of serum sold by such handler during the calendar year 1949. Such assessments shall be paid by each respective handler in accordance with the applicable provisions of the marketing agreement and the marketing order.

(c) *Terms.* As used herein, the terms "handler", "manufacturer", "distributor", and "serum" shall have the same meaning as is given to each such term in said marketing agreement and marketing order.

(d) *Findings relative to effective date.* It is hereby further found that (1) the fiscal year of the control agency established pursuant to the provisions of the marketing agreement and the marketing order corresponds to the calendar year, and the current calendar year 1950 is already well advanced; (2) the expenses of operating this regulatory program since January 1, 1950, have been paid with funds representing assessments collected in excess of expenses incurred during the calendar year 1949; (3) all such funds have already been expended; (4) in order for the administrative assessments to be collected, it is essential that the specification of the assessment rates be effective immediately so as to enable the control agency to perform its respective duties and functions under the aforesaid marketing agreement and marketing order; and (5) no preparation with respect to this determination is required of persons regulated which cannot be completed prior to the effective date hereof. Wherefore, it is hereby determined that good cause exists for making this determination effective upon its publication in the FEDERAL REGISTER.

(Sec. 60, 49 Stat. 782; 7 U. S. C. 855)

Done at Washington, D. C., this 9th day of May 1950, to become effective upon publication in the FEDERAL REGISTER.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-4072; Filed, May 11, 1950; 8:53 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 7, Amdt. 37]

PART 60—AIR TRAFFIC RULES

DANGER AREA ALTERATIONS

The danger area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Title 14, § 60.13-1 is amended as follows:

1. The Fallon, Nevada, area (2) Target No. 17, published on July 16, 1949 in 14 F. R. 4287, is deleted.

2. A Lake Ontario, New York, area is added to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
LAKE ONTARIO (Detroit Chart).	Beginning at lat. 43°38'00" N, long. 78°30'00" W; due W to long. 78°42'00" W; SW to lat. 43°22'00" N, long. 79°00'00" W; due S to lat. 43°30'00" N; due E to long. 78°45'00" W; NE to lat. 43°34'00" N, long. 78°30'00" W; due N to lat. 43°38'00" N, long. 78°30'00" W, point of beginning.	Surface to 15,000 feet.	Daylight hours only: (a) 7 days a week, from Apr. 1 to Oct. 1, annually, (b) Saturdays and Sundays only, from Oct. 1 to Apr. 1 annually.	Niagara Falls NAS, Niagara Falls, N. Y.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on May 12, 1950.

[SEAL] DONALD W. NYROP,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 50-4021; Filed, May 11, 1950; 8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5706]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ELIZABETH Y. COUNCILL DOING BUSINESS AS BAKER POTTERY CO.

Subpart—*Misrepresenting oneself and goods—Business status, advantages or connections:* § 3.1400 *Dealer as manufacturer;* § 3.1475 *Location.* In connection with the offering for sale, sale and distribution of pottery products in commerce, using in connection with respondent's trade name the word "Factories" or the words "Southern Office"; or otherwise representing, directly or by implication, that respondent manufactures the products sold by her or that respondent maintains any office other than that located in Salisbury, North Carolina; prohibited.

[Cease and desist order, Elizabeth Y. Councill doing business as Baker Pottery Company, Docket 5706, March 3, 1950] (Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45)

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, and a stipulation of facts entered into between respondent and counsel supporting the complaint, and the Commission having made its findings as to the facts and its conclusion that respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent, Elizabeth Y. Councill, doing business under the name Baker Pottery Company, or under any other name, and her agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of pottery products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from: Using in connection with respondent's trade name the word "Factories" or the words "Southern Office"; or otherwise representing, directly or by implication, that respondent manufactures the products sold by her or that respondent maintains any office other than that located in Salisbury, North Carolina.

It is further ordered, That respondent shall, within sixty (60) days after the service upon her of this order, file with the Commission a report in writing setting forth in detail the manner and form in which she has complied with this order.

Issued: March 3, 1950.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 50-4045; Filed, May 11, 1950; 8:49 a. m.]

PART 7—GENERAL PROCEDURES

HEARINGS ON FORMAL COMPLAINTS

The Commission on May 4, 1950, amended § 7.4 of its statement of General Procedures (§§ 7.1 to 7.10), so as to read as follows, effective June 1, 1950.

NOTE: Said section appears as section 11 in the Commission's statement, organization, procedures, and functions, as included in its publication, Rules, Policy, Organization and Acts.

§ 7.4 *Hearings on formal complaints.* (a) When, after the issuance of formal complaint, issues are joined, the matter comes under the Commission's trial procedure, which is implemented through the Bureau of Trial Examiners, consisting of the Chief Trial Examiner, an Assistant Chief Trial Examiner, and a staff of trial examiners. The Chief Trial Examiner acts as the administrative head and chief law officer of the Bureau. He exercises supervision over the forms of reports and coordinates methods of compliance by the trial examiners with the rules of practice.

(b) In so far as practicable, trial examiners are assigned in rotation to cases by the Commission on recommendation of the Chief Trial Examiner. The trial examiner thus designated proceeds to convene hearings for the reception of relevant evidence on the issues. A Commissioner may be assigned to this duty.

(c) Hearings are held in such parts of the country as may be necessary with due regard for the convenience of the parties and witnesses. All proper parties may be represented by counsel and all fundamental rights such as cross-examination of witnesses, adduction of evidence, objections, exceptions, motions, appeals, and the submission of briefs and oral argument are preserved to the respondents.

(d) After the taking of evidence is completed in the case and the parties have been duly heard, their contentions and proposals considered, the trial examiner makes and files an initial decision which includes a statement of (1) findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and (2) an appropriate order. A copy of the trial examiner's initial decision is served upon each party, who may, if he wishes, appeal therefrom and present additional findings, conclusions, or form of order, or substitutes for those challenged in the appeal.

(e) In cases in which appeal is taken from the initial decision, the Commission considers the portions of the record cited in the appeal, or which may be necessary to resolve the issues presented, and will, in such cases, as well as in cases which it reviews upon its own motion, exercise to the extent necessary or desirable all the powers it would have exercised had it made the initial decision. In all such matters the Commission will resolve factual issues by what it deems to be the greater weight of the evidence, and will render its decision, incorporating therein such part of the initial decision as is affirmed and any additional findings as to the facts or conclusions and such order as it may deem just and appropriate. In cases in which no appeal is taken and there is no review by the Commission upon its own motion, the initial decision of the trial examiner will, under the provisions of § 2.20 of the rules of practice, become the decision of the Commission.

Promulgated as of this date in pursuance of the action of the Federal Trade Commission under date of May 4, 1950, effective June 1, 1950.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46)

By direction of the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 50-4071; Filed, May 11, 1950; 8:52 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 244]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 241]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

SOUTH DAKOTA

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are amended in the following respects:

1. Schedule A, Item 281a, is amended to read as follows:

(281a) Aberdeen	South Dakota.	In Brown County, the city of Aberdeen.	Oct. 1, 1944	Jan. 1, 1946	Feb. 15, 1946

This recontrols, as the Aberdeen, South Dakota, Defense-Rental Area, the City of Aberdeen in Brown County, South Dakota, which was heretofore decontrolled as of September 28, 1949.

2. A new item is hereby incorporated in Schedule B to read as follows:

72. Provisions relating to the City of Aberdeen in Brown County, South Dakota, the Aberdeen, South Dakota, Defense-Rental Area.

Recontrol of the City of Aberdeen in Brown County, South Dakota, as the Aberdeen, South Dakota, Defense-Rental Area. Effective May 10, 1950, the provisions of §§ 825.1 to 825.12 and 825.81 to 825.92 shall apply to housing accommodations in the City of Aberdeen in Brown County, South Dakota, the Aberdeen, South Dakota, Defense-Rental Area, which was heretofore decontrolled as of September 28, 1949, except as modified by the following provisions:

a. All orders in effect on September 27, 1949, in accordance with §§ 825.1 to 825.12 or 825.81 to 825.92, shall be of full force and effect.

b. If, on May 10, 1950, there was a ground for adjustment under § 825.5 (a) or § 825.85 (a) for which no order had previously been issued, and a petition for adjustment is filed on or before June 10, 1950, the adjustment shall be effective as of May 10, 1950.

c. If, on May 10, 1950, the services provided with any housing accommodations are less than the minimum required by § 825.3 or § 825.83, the landlord shall either restore and maintain such minimum services or file a petition on or before June 10, 1950, requesting approval of the decreased services. If, on May 10, 1950, the furniture, furnishings or equipment provided with any housing accommodations are less than the minimum required by § 825.3 or § 825.83, the landlord shall file on or before June 10, 1950, a written report showing the decrease in furniture, furnishings or equipment. Except as modified by this paragraph "c," the provisions of § 825.5 (b) and § 825.85 (b) shall be applicable to all such cases.

d. In the case of any action which, on May 10, 1950, was required or authorized by §§ 825.1 to 825.12 or 825.81 to 825.92 to be taken within a specified period of time, the same time period shall be applicable, but such time period shall be counted from May 10, 1950.

e. The provisions of §§ 825.6 and 825.86 shall not apply to any case in which judgment was entered prior to May 10, 1950, by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Supp. 1894)

This amendment shall become effective May 10, 1950.

Issued this 9th day of May 1950.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 50-4048; Filed, May 11, 1950; 8:49 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

WORLD WAR I; ESTABLISHMENT OF SERVICE-CONNECTED DISABILITY OF LESS THAN 10 PER CENTUM

In § 4.176 (b), subparagraph (4) is amended to read as follows:

§ 4.176 *World War I; establishment of service-connected disability of less than 10 per centum (Public No. 484, 73d Congress, act of June 28, 1934, as amended, Public No. 198, 76th Congress, act of July 19, 1939).* * * *

(b) * * *

(4) A tropical disease as defined by Public Law 748, 80th Congress, other than those referred to in subparagraph (2) (iii) of this paragraph, which is disabling or symptomatic as an identifiable residual or recurrence at time of death. When there is medical evidence of a recurrence within 5 years prior to death, medical evidence confirming recurrence at reasonably separated intervals, or a residual once medically identified and later found as no longer existing, and in addition there is acceptable lay or medical evidence of a recurrence or symptomatic manifestation of the disease within the 12-month period preceding death, disability at time of death will be conceded. When a veteran has resided continuously in a tropical area where these diseases are endemic, attention should be given to factual evidence of reinfection.

* * * * *

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. and Sup. 11a, 426, 707)

This regulation effective May 12, 1950.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 50-4041; Filed, May 11, 1950; 8:48 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Subchapter A—Alaska

[Circular 1753]

PART 69—MINERAL LANDS; GENERAL MINING REGULATIONS

AREAS SUBJECT TO SPECIAL LAWS

A new paragraph is added to the footnote to § 69.11, as follows:

Lands segregated for classification or sold under the Alaska Public Sale Act of August 30, 1949 (63 Stat. 679, 48 U. S. C. 364a-364e) are subject to mining location, under the provision of section 3 of that act for the development of the reserved minerals under applicable law, including the United States mining laws, and subject to the rules and regulations of the Secretary of the Interior necessary to provide protection and compen-

sation for damages from mining activities to the surface and improvements thereon. Such mining locations are subject to the applicable general regulations in Parts 69 and 185 and to the additional conditions and requirements in § 75.39 of this chapter.

(R. S. 2478; 43 U. S. C. 1201)

MARION CLAWSON,
Director.

Approved: May 6, 1950.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 50-4024; Filed, May 11, 1950; 8:45 a. m.]

[Circular 1754]

PART 75—SALES AND LEASES

SALE OF LANDS AT PUBLIC AUCTION FOR INDUSTRIAL OR COMMERCIAL PURPOSES, INCLUDING HOUSING

Sec.
75.23 Statutory authority.
75.24 Definitions.
75.25 Policy.
75.26 Lands subject to sale; classification and use.
75.27 Application; limitation on holdings.
75.28 Land utilization program; statement and plat.
75.29 Effect of application; segregation of land.
75.30 Classification and appraisal; withdrawn or reserved land.
75.31 Publication of notice; contents; posting.
75.32 Bidding and sale.
75.33 Action at close of bidding; declaration of highest bidder.
75.34 Statement of qualifications; proposed utilization program.
75.35 Certificate of purchase; rights and limitations; survey.
75.36 Assignment; mortgage or loan security.
75.37 Termination of certificate; removal of improvements.
75.38 Application for patent; proof of use.
75.39 Issuance of patent; reservations; disposal of minerals.
75.40 Appeals.

AUTHORITY: §§ 75.23 to 75.40 issued under sec. 5, 63 Stat. 679, 48 U. S. C. Sup., 364e.

SALE OF LANDS AT PUBLIC AUCTION FOR INDUSTRIAL OR COMMERCIAL PURPOSES, INCLUDING HOUSING

§ 75.23 *Statutory authority.* The sale, at public auction, of tracts not exceeding 160 acres in the aggregate, which have been classified as suitable for industrial or commercial purposes, including construction of housing, is authorized by the act of August 30, 1949 (63 Stat. 679, 48 U. S. C. 364a–364e). Section 4 provides that the act of May 14, 1898 (48 U. S. C. 371, 462), as amended, creating shore space reserves shall not apply to nor limit the operations of the act.

§ 75.24 *Definitions.* When used in this part:

(a) "Secretary" means Secretary of the Interior.

(b) "Director" means Director, Bureau of Land Management.

(c) "Regional Administrator" means the Regional Administrator, Region VII, Bureau of Land Management, Anchorage, Alaska.

(d) "Manager" means manager of the land office for the district in which the land is situated.

(e) "Applicant" or "purchaser" includes an individual, partnership, association of individuals, or a corporation, including municipal corporations.

(f) "The act" means the Alaska Public Sale Act of August 30, 1949 (63 Stat. 679, 48 U. S. C. 364a–364e).

§ 75.25 *Policy.* It is the policy of the Secretary to sell public lands under the act only when the lands will be put to some definite industrial or commercial use within reasonable time after purchase according to the utilization program declared by the applicant or purchaser pursuant to § 75.28 or § 75.34 (b).

§ 75.26 *Lands subject to sale; classification and use.* (a) Any public lands in Alaska not within national parks or monuments, national forests, Indian lands, or military reservations, may be sold under the act, provided such lands shall first have been classified by the regional administrator as suitable for disposal for industrial, commercial or housing use. The regional administrator may classify lands under the act either on his own motion or upon application. A properly filed application for the purchase of public lands will be considered as a request for classification of the land as suitable for disposal under the act.

(b) Disposal of withdrawn or reserved lands may be made only with the consent of the department or agency for whose use or in whose interest the lands were reserved or withdrawn, or which has administrative jurisdiction over such lands, and subject to the conditions required by such department or agency.

(c) Lands may be classified for disposal as industrial, commercial or housing sites suitable for one or more types of enterprises, including, but not limited to, the following:

(1) Industrial site for manufacturing, fabricating, processing, or warehouse-storaging.

(2) Commercial site for merchandising, retail and wholesale, including warehouse and distribution centers; fur farms for penned animals; transportation facilities, including terminals, and repair shops.

(3) Housing site for apartments, detached and semi-detached dwellings on a project basis of sufficient size, but not less than five dwelling units, to warrant large-scale development; hotels, recreation resorts, overnight lodges, and motor courts.

(d) The sale of lands under §§ 75.23 to 75.40 will be subject to any valid existing rights; but the act of May 14, 1898 (48 U. S. C. 371, 462), as amended, creating shore space reserves, will not apply to nor limit dispositions under these sections.

§ 75.27 *Application;*[1] *limitation on holdings.* An application may be filed with the manager by any qualified individual, association of individuals or corporation, including municipal and public corporations, to purchase land for industrial, commercial or housing purposes. The application must be executed and filed in duplicate if the land is surveyed, and in triplicate if the land is unsurveyed. Each application shall be for only one tract, reasonably compact in form, containing so much land, not exceeding 160 acres, as is actually required for the contemplated enterprise or project.

An applicant may file any number of applications, but no award may be made nor may patent issue to any purchaser for land which, with other lands under this act then held by such purchaser, shall exceed 160 acres in the aggregate. The application must contain in substance the following information:

(a) Name and address of applicant; age; general nature of his business and principal place of business.

(b) An association is required to file a certified copy of its articles of association and the same showing, including holdings of its members, as required of an individual as specified herein. A corporation is required to file a certified copy of its articles of incorporation and a showing that it is qualified to hold real estate in Alaska.

(c) Description of the land desired, by legal subdivision, section, township and range, if surveyed, and by metes and bounds with the approximate area, if unsurveyed. The metes and bounds description should be connected by course and distance with some corner of the public land surveys, if practicable, or with reference to rivers, creeks, mountains, towns, islands, or other prominent topographical points or natural objects or monuments. No patent may issue, however, until an official survey is made.

(d) A brief but complete statement as to the use to which the land will be put, supplemented by the showings required in § 75.28.

(e) A statement of the applicant's interests, direct or indirect, whether as a member of an association or stockholder in a corporation or otherwise, in lands covered by purchase certificates or patents issued under the act, with the acreage thereof, identifying the same by land office and serial or by patent number, and a statement that the total amount of such lands then held by the applicant, together with the lands applied for, do not exceed 160 acres in the aggregate.

(f) The application must be signed by the applicant or an attorney in fact; if executed by an attorney in fact, it must be accompanied by the power of attorney. Application on behalf of a corporation must be accompanied by proof of the signing officer's authority to execute the instrument and must have the corporate seal affixed thereto. When a municipal or public corporation is the applicant, the authority of the signing official or officials to act for the corporation must be furnished, evidenced by a certified copy of the resolution of its governing board or body.

§ 75.28 *Land Utilization program; statement and plat.* (a) The application must be accompanied by an additional statement executed by the applicant disclosing in detail the proposed use to which the land will be put, containing

[1] 18 U. S. C. 1001 makes it a crime for any person knowingly and wilfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

in substance the following information: Type (whether industrial, commercial or housing); structures and other improvements to be erected on the land, including size and cost of construction; approximate dates for beginning and completing construction; or, in the case of housing, the number of separate housing units or the number of persons or families for whom accommodations will be provided.

(b) The applicant must also furnish a plat of the area desired for purchase, showing the proposed location of all structures, roadways, and other improvements and facilities to be erected, in sufficient detail to illustrate the contemplated utilization of the tract and the need for all the acreage for which application is made.

§ 75.29 *Effect of application; segregation of land.* (a) Subject to valid prior rights, the filing of an application in conformity with the regulations in this part will segregate the land applied for from application, entry, or settlement under any public land laws or from mining locations except as provided in § 75.39, pending classification of the land under the act.

(b) If the application is not properly executed or is not accompanied by the showings required in § 75.28, the application will be rejected. If the application is regular and the status of the land warrants its consideration for classification under the act, the manager will promptly forward the application to the regional administrator.

(c) Subject to valid prior rights, the regional administrator may, at any time, on his own motion, effect a segregation of land, pending its classification as suitable for disposal under the act by filing with the manager of the land office a notice specifying each tract of land under consideration. The notice shall be effective to segregate the land from further application, entry or settlement under any public land law, or from mining locations except as provided in § 75.39. The segregation notice shall be effective for not more than six months from date of filing of the notice in the land office, but the segregation may be extended for not more than an additional six months by the regional administrator, by filing a similar notice as to any or all of such tracts.

(d) An application or a segregation notice shall not prevent the filing of other applications under any public land law without the initiation of any rights thereunder, pending classification of the land. Upon determination, pursuant to an application or notice, that the land is not suitable for disposal under the act or upon expiration of the segregation period or an extension thereof without classification, the land shall be subject to the public land laws and pending applications thereunder.

§ 75.30 *Classification and appraisal; withdrawn or reserved land.* (a) The regional administrator, based upon such reports and studies as may be neecssary, will make a determination whether the land in the application or segregation notice is suitable for disposal for industrial or commercial purposes; he will also appraise the land at its fair market value.

(b) If the land is withdrawn or reserved on behalf of or is under the administrative jurisdiction of another department or agency, the consent of such department or agency to the disposal of the land must be obtained prior to classification, and such disposal will be subject to any necessary and proper conditions required by the head of the department or agency.

§ 75.31 *Publication of notice; contents; posting.* (a) Upon a favorable classification of the land, the regional administrator will have a notice of the sale published, at the expense of the United States, not less than 30 days prior to the date fixed for the sale, in a designated newspaper of general circulation in Alaska. Publication may be made once a week for four consecutive weeks.

(b) The notice will contain the date, hour and place of the sale; description of the tract or tracts, whether surveyed or unsurveyed; if insurveyed, a statement that the land must be surveyed at the expense of the purchaser prior to patent, with the estimated cost of survey; type or types of use for which classified; the minimum acceptable bid price which shall be not less than the appraised value if the land is surveyed, or appraised value plus estimated cost of survey if the land is unsurveyed; a list of all reservations to which the land is subject, including reservation to the United States of all minerals in the land, as well as fissionable source materials under the act of August 1, 1946 (60 Stat. 755; 42 U. S. C. 1805 (b) (7)); and such other reservations, if any, as may be necessary and proper; where and how bids shall be submitted; and a statement warning all bidders against violation of the provisions of 18 U. S. C. 1860 prohibiting unlawful combination or intimidation of bidders.

(c) The manager will post a copy of the notice of sale in the land office during the entire period of publication.

§ 75.32 *Bidding and sale.* (a) The land will be offered for sale at public auction at a minimum price of not less than the appraised value, plus the estimated cost of any surveys required to properly describe the land prior to issuance of patent. Bids may be made by the principal or an agent either personally at the sale or by mail, in the manner specified in the notice of sale. Bids sent by mail will be considered only if received at the land office prior to the hour fixed for the sale. The bids must be enclosed in a sealed envelope and must be accompanied by a certified check, cashier's check, or money order payable to the Treasurer of the United States, for one-fifth the amount of the bid. The sealed envelope must be marked in the lower left-hand corner as prescribed in the notice of sale. The sealed envelopes, with the hour and date of receipt in the land office noted thereon, will be opened by the manager only at the time fixed for the sale.

(b) The manager will commence the sale by reading the public announcement thereof and by opening the sealed bids and announcing such bids. He will then receive bids from the persons present.

§ 75.33 *Action at close of bidding; declaration of highest bidder.* (a) When all bids from the persons present shall have been received, the manager will, in the usual manner, declare the bidding closed. He will then announce the amount of the highest bid and require the offeror immediately to deposit one-fifth the amount of the bid. In the absence of such payment the manager will at once proceed with the sale, excluding that bid and starting with the next highest bid not withdrawn. In the event the bids of two or more persons sent by mail are the same in amount and are the highest offered, the manager will then and there hold a public drawing, in the manner specified in 43 CFR 295.8 (b), from among such persons, and the bid of the person whose name is drawn will be accepted by the manager. The remainder of the bid must be paid by the bidder within 30 days after receipt of notice from the manager. When the full amount of the bid is paid, the manager will declare the offeror as the successful bidder, but no certificate of purchase will be issued unless and until the bidder has made satisfactory compliance with § 75.34.

(b) If the remainder of the bid is not paid within the time allowed or the bidder fails to qualify in accordance with § 75.34, the bid will be rejected and the one-fifth deposit will be forfeited; and the regional administrator may offer the land to the party who made the next highest bid, if such bidder is still interested in the purchase. Until the successful bidder has fully complied with § 75.34, the regional administrator may at any time determine, in the public interest, that the land should not be sold, and the applicant or any bidder shall have no contractual or other rights as against the United States, and no action taken shall create any contractual or other obligation of the United States.

§ 75.34 *Statement of qualification; proposed utilization program.* Before a certificate of purchase may issue, the successful bidder must, within 30 days after he shall have been so declared, file in the land office, if he has not already done so:

(a) A statement and evidence of his qualifications and holdings of lands under this act in conformity with § 75.27 (a) or (b), and (e).

(b) Acceptable showing as to the proposed program of use and development of the land, consistent with the general purpose for which classified, containing in substance the detailed information required by § 75.28.

(c) A statement, accompanied by satisfactory proof, that he has the financial means or has made arrangements with an established financial institution to provide the means to carry the development program to completion; also a statement that the bid is not made for or on behalf of any undisclosed principal or other party in interest.

(d) In addition, the bidder may furnish or he may be required to furnish any additional information or showing, or proof of his bona fide intention and

of his financial ability to develop the tract for the contemplated use. Any showing as to financial responsibility will, upon request of the bidder, be treated as confidential and not open to public inspection.

§ 75.35 *Certificate of purchase; rights and limitations; survey.* (a) When the regional administrator is satisfied that the successful bidder is qualified, that he has the intention and financial means to develop and use the land in accordance with the act and his proposed utilization program, the regional administrator will authorize the issuance by the manager of a certificate of purchase on Form 4–1139, containing the reservations as listed in the published notice of sale.

(b) Upon issuance of the certificate which will be valid for a period of three years from the date of issuance, the purchaser shall have the right, during the three-year period, to enter upon, occupy, use, and make improvements upon the land in accordance with the declared utilization program.

(c) If the land is unsurveyed, the manager will, upon issuance of the certificate of purchase, request the regional chief, Division of Cadastral Engineering, to have a survey made and plats prepared. Upon completion of the survey work, the purchaser will be required to pay any deficiency, or he will be refunded any amount paid in excess of the actual cost of survey.

(d) Timber on the land may not be cut or removed without the prior approval of the regional administrator. Approval will be granted for the removal of only so much of the timber and clearance of so much of the land as is directly necessary to the actual improvement and use of the land in accordance with the utilization program.

§ 75.36 *Assignment; mortgage or loan security.* (a) A certificate of purchase may be assigned in its entirety only. The proposed assignment must be filed in duplicate in the land office within 90 days after its date of execution, for the approval of the manager. The instrument must contain all the terms and conditions agreed upon by the parties thereto, including the consideration paid for the assignment, and must be accompanied by the same showing as to the assignee's qualifications, holding of lands under this act, proposed program for utilizing and developing the land, and financial ability to carry out the declared utilization program, as is required of the successful bidder in accordance with § 75.34. An assignment will not be recognized unless approved by the manager; a patent, if issued, will be in the name of the approved assignee. Subleases are not authorized.

(b) A certificate of purchase may be pledged as security for a loan from a lending agency when the loan is made in furtherance of the purchaser's or certificate holder's land utilization program; the lending agency may ascertain from the manager the status of the land and other pertinent information concerning the certificate of purchase. In case the holder-borrower's improvements or his rights under the purchase certificate are lawfully acquired by the lending agency through foreclosure or otherwise, such agency, or any party who purchases the property or rights from such agency, if qualified in accordance with § 75.34, will, upon application, be recognized in lieu of the previous holder or purchaser and, upon compliance with the terms of the certificate of purchase, may apply for the issuance of a patent. If, in making a sale the lending agency takes back a mortgage on the property, the agency shall be entitled to the same consideration as in the case of the original loan. A lending agency which files proper notice with the manager that it has made a loan and accepted, as security therefor, a certificate of purchase or improvements on the land, in conformity with the provisions of this paragraph, will be advised of any action taken affecting the status of the land.

§ 75.37 *Termination of certificate; removal of improvements.* (a) At the end of three years from the date of issuance, unless there is then pending an application for the issuance of a patent filed in accordance with § 75.38, the certificate of purchase will be void and of no further effect, all rights thereunder will terminate; and no moneys paid thereon may be returned. No extension of time for compliance with the terms of the certificate of purchase can be granted.

(b) Thereupon the manager will allow the approved holder of the certificate of purchase 90 days from notice within which to remove from the land any materials, improvements, structures, or other property placed thereon. After the 90-day period or any extension thereof granted by the manager because of adverse climatic conditions or other sufficient cause, all such materials, improvements, structures, and property not removed will become the property of the United States.

§ 75.38 *Application for patent; proof of use.* (a) An application for the issuance of a patent for the land, signed by the approved holder thereof, must be filed in triplicate with the manager, at any time after six months and before the expiration of three years from the date of issuance of the certificate of purchase. An application filed after expiration of the three-year period will be rejected. The application must include a showing as to the nature and cost of the improvements and structures placed on the land showing substantial compliance with the declared land utilization program; and the use, dates, and periods of use of the land which must aggregate not less than six months.

(b) There must be furnished with the application the affidavits of two disinterested persons, based upon their own knowledge, that the land has been used for the purpose for which it was sold for an aggregate period of not less than six months. In addition, the approved holder may submit, if he desires, or he may be required by the manager to submit any other evidence which will constitute satisfactory proof that the land has been utilized for such purpose for the required period.

§ 75.39 *Issuance of patent; reservations; disposal of minerals.* (a) If the proof is satisfactory and the land has been surveyed, the manager will authorize the issuance of the patent in fee, subject to the reservations listed in the certificate of purchase.

(b) Any minerals subject to the leasing laws in the lands sold or patented under the act may be disposed of to any qualified person under applicable laws and regulations in force at the time of such disposal.

(c) Mining claims for minerals subject to the United States mining laws may be located in accordance with the applicable provisions of 43 CFR, Parts 69 and 185, and the additional conditions and requirements of this part notwithstanding the lands have been segregated pursuant to § 75.29 or sold under the act. The locator of any such mining claims must file for record in the proper land office, not later than 90 days after the location is made, a copy of the notice of location of the claim, with the name and address of each owner of the claim and the description of the land claimed.

(d) If the land is surveyed, the copy of the location notice must describe the legal subdivision or subdivisions partly or wholly covered by the mining claim; or the copy may be accompanied by a separate statement of the locator describing the legal subdivisions affected. If the land is unsurveyed, the copy of the location notice should describe the land by metes and bounds connected by course and distance to the nearest corner of the public land surveys, if practicable or with reference to rivers, creeks, mountains, towns, islands or other prominent topographical points or natural objects or monuments; or the copy of the notice may be accompanied by a separate statement of the locator giving the same information. The mining claimant must file within 90 days after the expiration of any annual assessment year, a statement as to the assessment work done or improvements made during the previous assessment year, or as to compliance, in lieu thereof, with any applicable relief act.

(e) Such location duly made will carry all the rights and incidents of mining locations, except that they will give to the locator no title, possessory or otherwise, to the surface or surface resources other than the right to occupy and use so much thereof as is reasonably required for carrying on mining or prospecting, subject to the general regulations of the Secretary of the Interior, and the provisions contained in 43 CFR, Parts 69 and 185. An application for the issuance of a mineral patent should be noted "Mining claim on land sold under the act of August 30, 1949 (63 Stat. 679, 48 U. S. C. 364a–364e)." A mineral patent for a mining claim on land so segregated or sold under this act will convey title only to the mineral deposits within the claim and will carry a reference to the act of August 30, 1949.

(f) Any party who obtains the right, whether by license, permit, lease or location, to prospect for, mine, or remove the minerals after the land shall have been segregated or disposed of under the

act, will be required to compensate the holder of the surface rights for any damages that may be caused to the value of the land and to the tangible improvements thereon by such mining operations or prospecting, and may be required by the regional administrator as to mining claims, or by the terms of the mineral license, permit or lease, to post a surety bond not to exceed $5,000 in amount to protect the surface owner against such damage, prior to the commencement of mining operations.

§ 75.40 *Appeals.* An appeal pursuant to the rules of practice (43 CFR, Part 221) may be taken from the decision of any subordinate officer of the Bureau of Land Management to the Director, and from the Director's decision to the Secretary.

NOTE: The reporting requirement of this regulation has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MARION CLAWSON,
Director.

Approved: May 6, 1950.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 50-4025; Filed, May 11, 1950; 8:45 a. m.]

Appendix—Public Land Orders

[Public Land Order 641]

CALIFORNIA

TRANSFER OF LANDS FROM THE PLUMAS NATIONAL FOREST TO THE TAHOE NATIONAL FOREST AND FROM THE TAHOE NATIONAL FOREST TO THE PLUMAS NATIONAL FOREST; TRANSFER OF LANDS FROM THE TAHOE NATIONAL FOREST TO THE TOIYABE NATIONAL FOREST

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (16 U. S. C. 473), and pursuant to Executive Order No. 9337 of April 24, 1943, and upon the recommendation of the Department of Agriculture, it is ordered as follows:

The following-described lands within the exterior boundaries of the Plumas National Forest are hereby transferred to the Tahoe National Forest, effective July 1, 1950:

MOUNT DIABLO MERIDIAN

T. 21 N., R. 13 E.
Sec. 1, lots 1, 2, 4, 7, 9, 10, 11, and 12, and S½NE¼;
Sec. 2, lots 1, 2, and 3, S½NE¼, SE¼;
Sec. 11, that part east of the divide between Sulphur Creek and Sierra Valley;
Sec. 12, all;
Sec. 13, that part east of the divide between Sulphur Creek and Sierra Valley excepting the N½SW¼ and lot 3;
Sec. 14, E½E½, SW¼NE¼, and those parts east of the divide between Sulphur Creek and Sierra Valley.
T. 22 N., R. 13 E.
Secs. 22, 23, and 24; those parts south of the Beckwith Peak Ridge;
Secs. 25, and 26, all;
Sec. 27, that part east of the Beckwith Peak Ridge;
Sec. 34, NE¼NE¼, that part east of the Beckwith Peak Ridge;
Sec. 35, that part east of the Beckwith Peak Ridge excepting the S½SW¼;
Sec. 36, all.
T. 21 N., R. 14 E.
Secs. 5, and 6, all;
Sec. 7, E½, E½NW¼, SE¼SW¼, lots 1 and 4;
Sec. 8, W½;
Sec. 17, NE¼, N½NW¼, W½SW¼NW¼, W½E½SW¼NW¼, NE¼NE¼SW¼NW¼, SE¼SE¼SW¼NW¼, E½SE¼NW¼, and S½SW¼SE¼NW¼;
Sec. 18, NE¼, E½NW¼, lots 1 and 2.
T. 22 N., R. 14 E.
Secs. 3, 4, 8, and 9, those parts south and east of the Beckwith Peak Ridge;
Sec. 15, SE¼SW¼, NE¼SE¼, and S½SE¼;
Sec. 16, NW¼;
Sec. 17, all;
Sec. 18, that part south of the Beckwith Peak Ridge;
Secs. 19, and 20, all;
Sec. 21, SW¼;
Sec. 22, E½E½, and NW¼NE¼;
Sec. 27, NE¼NE¼;
Sec. 28, SW¼SE¼;
Secs. 29, 30, 31, and 32, all;
Sec. 34, S½SW¼.

The following described lands within the exterior boundaries of the Tahoe National Forest are hereby transferred to the Plumas National Forest, effective July 1, 1950:

MOUNT DIABLO MERIDIAN

T. 21 N., R. 13 E.
Sec. 13, N½SW¼, that part west of the divide between the Sulphur Creek and Sierra Valley;
Sec. 14, NW¼NE¼, NW¼SE¼, those parts west of the divide between the Sulphur Creek and Sierra Valley;
Secs. 20, and 21, those parts north of the divide between the Sulphur Creek and Yuba River;
Sec. 22, all;
Secs. 23, 26, 27, and 28, those parts north of the divide between Sulphur Creek and the Sierra Valley-Yuba River.

The following-described lands acquired under the provisions of the act of March 20, 1922 (42 Stat. 465), as amended by the act of February 20, 1925 (43 Stat. 952), are hereby transferred from the Tahoe National Forest to the Toiyabe National Forest effective July 1, 1950:

MOUNT DIABLO MERIDIAN

T. 19 N., R. 17 E.,
Sec. 13, E½ and E½NW¼;
Sec. 25, E½ and S½SW¼.

It is not intended by this order to give a national-forest status to any publicly owned lands which have not hitherto had such a status or to change the status of any publicly owned lands which have hitherto had national-forest status.

OSCAR L. CHAPMAN,
Secretary of the Interior.

MAY 6, 1950.

[F. R. Doc. 50-4026; Filed, May 11, 1950; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR, Part 301]

HAWAIIAN FRUITS AND VEGETABLES

REMOVAL OF PINEAPPLES FROM LIST

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that the Secretary of Agriculture, pursuant to the authority conferred upon him by section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), is considering the amendment of § 301.13-2 (b) of the regulations supplemental to the quarantine relating to the movement of Hawaiian fruits and vegetables (7 CFR 301.13-2 (b)) by deleting pineapples (Ananas sativa) from the list of fruits and vegetables allowed movement from Hawaii throughout the year upon compliance with the certification and inspection requirements of § 301.13-4 (a).

The oriental fruitfly has been found to infest pineapples in certain stages of maturity. It is therefore proposed in this amendment to remove pineapples from the list of products that may be certified, in accordance with § 301.13-4 (a), when they have been inspected by an inspector and found apparently free from infestation. It is impracticable to certify, on the basis of visual inspection, that fruits which are hosts of the oriental fruitfly are free from infestation. Were pineapples removed from such list, they would thereafter be eligible for certification only after they had been treated in a manner approved by the Chief of the Bureau of Entomology and Plant Quarantine, as provided in § 301.13-4 (b). A method of treating pineapples has been so approved.

All persons who desire to submit written data, views, or arguments in connection with this matter should file the same with the Chief of the Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 15 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 9th day of May 1950. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-4082; Filed, May 11, 1950; 8:55 a. m.]

Production and Marketing Administration

[7 CFR, Part 53]

CARCASS BEEF

NOTICE OF PROPOSED RULE MAKING TO REVISE CERTAIN PROVISIONS OF THE STANDARDS

Notice is hereby given in accordance with section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Department of Agriculture has under consideration a proposed revision of certain provisions of the standards for grades of carcass beef (7 CFR 53.102 to 53.104) under the Agricultural Marketing Act of 1946 (60 Stat. 1087, 7 U. S. C. 1621 et seq.) and the items for Market Inspection of Farm Products and Marketing Farm Products recurring in the annual appropriation acts for the Department of Agriculture and currently found in the Department of Agriculture Appropriation Act, 1950 (63 Stat. 324, 7 U. S. C. 414).

The principal changes proposed would be made in the standards of grades for steer, heifer and cow beef as follows:

(1) It is proposed to combine existing U. S. Prime and U. S. Choice grades into one grade which would be designated U. S. Prime. The lower limit of the new proposed grade U. S. Prime would be the same as the lower limit of the present U. S. Choice grade.

(2) It is proposed to change the name of the present U. S. Good grade to U. S. Choice. The lower limit of the new U. S. Choice grade would be the same as the lower limit of the present U. S. Good grade. The proposed Choice grade specifies a high degree of quality and the change in the name of the grade is considered to be in accordance with preferences of retailers and household consumers.

(3) It is further proposed to divide the present Commercial grade into two grades. Beef currently included in the top half of the Commercial grade and which is produced from cattle that have not reached full maturity, would be graded separately and designated U. S. Good. Beef qualifying for the new U. S. Good grade is usually tender and from the standpoint of ratio of the fat to the lean is considered by many consumers to be more economical than beef from other consumer grades. Beef from animals that have not reached full maturity and which qualify for only the lower half of the present U. S. Commercial grade and all beef from mature animals now qualifying for Commercial would continue to be designated U. S. Commercial under the proposed revision.

Steer, heifer, and cow beef now graded Utility, Cutter and Canner would retain the present grade designations.

Other revisions in the specifications for the Prime, Choice, Good and Commercial grades of steer, heifer and cow beef would be made to facilitate the interpretation of the specifications and to conform them with color photographs used by the Department of Agriculture for illustrating the minimum requirements of the respective grades.

Certain other minor changes would be made in the standards in the interests of consistency and clarity.

A division in the Commercial grade similar to that now proposed was proposed by the Department of Agriculture in a notice of rule-making published in the FEDERAL REGISTER on August 12, 1949 (14 F. R. 4984). The bulk of the comments received regarding that proposal was favorable as to its objective, but many individuals and organizations felt that certain other changes in the standards for beef grades were also needed. The proposal here presented incorporates the recommendations made by the National Beef Industry Advisory Committee which includes representatives from cattle producers, feeders, packers, and retailers. The proposal published August 12, 1949 is no longer under consideration.

The specific changes which would be made in the standards for grades of carcass beef under the presently proposed revision are as follows:

1. Section 53.102 would be amended to read as follows:

§ 53.102 *Application of standards for grades of carcass beef.* (a) (1) Beef is graded on a composite evaluation of three general grade factors—conformation, finish and quality. These factors are concerned with the proportions of the various wholesale cuts in the carcass, the proportions of fat, lean and bone, and the quality of the meat. Carcasses qualifying for any particular grade may vary with respect to their relative development of the three grade factors, and there will be carcasses which qualify for a particular grade, some of whose characteristics may be more nearly typical of another grade. Because it is impractical to describe the nearly limitless numbers of such recognizable combinations of characteristics, the standards for each grade describe only beef which has a relatively similar degree of development of conformation, finish and quality and which is also generally representative of the midpoint of each grade. A few minimum requirements are included in some of the specifications.

(2) As an aid in the correct interpretation of the standards, the Department uses color photographs of carcasses illustrating combinations of characteristics which qualify the carcasses for the lower limits of each grade.

(3) The grade descriptions in §§ 53.104 to 53.106 are defined primarily in terms of carcass beef. However, they are applicable also to wholesale cuts. It is recognized that some of the wholesale cuts produced from a carcass which may be near the limits of a grade may not be of the same grade as that of the carcass from which they were produced. The correct grade for wholesale cuts shall be determined by an evaluation of the degrees of conformation, finish and quality of the wholesale cuts and not the carcass from which they are derived.

(b) Beef includes meat from animals that vary widely with respect to maturity. Some of the grades for carcass beef specified in this subpart differ with respect to the maximum maturity permitted. In those grades in which the greatest range of maturity is permitted two separate requirements for certain of the grade factors have been specified depending upon evidences of the maturity attained by the animals from which it was produced. Advancing maturity is associated with a general decline in thickness of muscling, increased roughness and irregularity in conformation and finish and the gradual ossification of bones and cartilages most easily noted in the split chine bones. Within any specified grade the degree of finish and marbling required increases progressively with advancing maturity.

(c) The standards set forth in § 53.104 provide for the grading and stamping of beef from steers, heifers, and cows according to its characteristics as beef without sex identification. Such beef placed within each respective grade, therefore, shall possess the characteristics specified for that grade, irrespective of the sex of the animal from which it was derived. Beef produced from bulls and stags shall be graded according to its characteristics as bull beef and as stag beef in accordance with the standards set forth in §§ 53.105 and 53.106. When graded and identified according to grade, such beef shall be identified also for class as "Bull" beef or "Stag" beef as the case may be. No designated grade of bull beef or of stag beef is comparable in quality with a similarly designated grade of beef derived from steers, heifers, or cows. Neither is the quality in a designated grade of bull beef comparable with a similarly designated quality of stag beef.

2. Section 53.103 would be amended to read as follows:

§ 53.103 *Standard grades for carcass beef.* There are seven grades for beef from steers and heifers, and six grades for beef from cows, bulls, and stags. These are listed in the following schedule of grades.

SCHEDULE—STANDARD MARKET CLASSES AND GRADES FOR DRESSED BEEF

Class	Grade	Class	Grade
Steer, heifer and cow.[1]	Prime. Choice. Good. Commercial. Utility. Cutter. Canner.	Bull and stag.	Choice. Good. Commercial. Utility. Cutter. Canner.

[1] Cow beef is not eligible for Prime grade.

3. Section 53.104 (a), (b), (c), and (d) would be amended to read respectively as follows:

§ 53.104 *Specifications for official United States standards for grades of carcass beef (steer, heifer, and cow)*—(a) *Prime.* (1) Prime grade beef carcasses and wholesale cuts are blocky and compact and very thickly fleshed throughout. Loins and ribs are thick and full. The rounds are plump and the plumpness extends well down toward the hocks. The chucks are thick and the necks and shanks short. The fat covering is fairly smooth and uniformly distributed over the exterior surface of the carcass. The interior fat is abundant in the pelvic cavity and over the

kidney. The protrusion of fat between the chine bones is liberal and the overflow of fat over the inside of the ribs is abundant and fairly evenly distributed. The intermingling of fat with the lean in evidence between the ribs, called feathering, is extensive. Both the interior and exterior fats are firm, brittle and somewhat waxy, but the interior fat may be slightly wavy or rough. The cut surface of the rib eye muscle is firm and has a smooth, velvety appearance. It has abundant marbling and the marbling is extensive, especially in the heavier carcasses. The color may range from a pale red to a deep blood red but shall be uniform and bright. The chine bones are usually soft and red, terminating in soft, pearly white cartilages.

(2) Carcasses showing evidence of maximum maturity permitted in the Prime grade have chine bones tinged with white and cartilages on the end of the chine bones are slightly ossified. Carcasses must also be symmetrical and uniform in contour and the rib eye muscle must be fine in texture.

(3) Regardless of the extent to which other grade factors may exceed the minimum requirements for the grade, a carcass must have certain evidences of quality to be eligible for the Prime grade. The cut surface of the muscle must be firm, fine in texture and bright in color. Slightly abundant marbling must be evident in the rib eye muscle of carcasses with soft, red chine bones terminating in soft pearly white cartilages. Progressively more marbling is required in carcasses with evidences of more advanced maturity. Carcasses which are only moderately compact and blocky with only moderately plump rounds and moderately thick fleshing may meet the minimum requirements for the Prime grade provided they have finish and evidences of quality equivalent to the mid-point of the Prime grade.

(4) Only beef produced from steers and heifers will qualify for the Prime grade.

(b) *Choice.* (1) Choice grade beef carcasses and wholesale cuts are moderately blocky and compact and moderately thick fleshed throughout. Loins and ribs are moderately thick and full and the rounds are moderately plump. The chucks are moderately thick and the necks and shanks are moderately short. The fat covering of beef within the grade will vary within moderate limits depending on evidences of the maturity attained by the animal from which it was produced. Carcasses whose chine bones are soft and red and which terminate in soft, pearly white cartilages may have a slightly thin covering of exterior fat and a moderate quantity of interior fat. In such beef there will be a modest protrusion of fat between the chine bones and moderate overflow fat and feathering. Carcasses whose chine bones are tinged with white and which terminate in cartilages in which ossification is plainly evident will usually possess a moderately thick exterior fat covering that extends over nearly the entire surface of the carcass and shall have fairly heavy deposits of interior fat. In such beef there will be a moderate protrusion of fat between the chine bones and moderately abundant overflow fat and feathering. Interior and exterior fats are fairly firm and brittle. Characteristics of the cut surface of the rib eye muscle will vary, depending on evidences of the maturity attained by the animal from which it was produced. In carcasses whose chine bones are soft and red and which terminate in soft, pearly white cartilages, the rib eye has a moderate amount of marbling and is usually slightly soft but fine in texture. In carcasses whose chine bones are tinged with white and which terminate in cartilages in which some ossification is evident, the rib eye has moderately abundant marbling and is usually moderately firm and fine in texture. The color of the muscle usually ranges from a light red to slightly dark red. It is usually uniform and bright in color but may be slightly two-toned or slightly shady.

(2) Carcasses showing evidences of maximum maturity permitted in the Choice grade have chine bones which are tinged with white and cartilages on the end of the chine bones which are partially ossified. However, the carcasses must also be at least moderately symmetrical and uniform in contour and the rib eye muscle must be fine in texture.

(3) Regardless of the extent to which other grade factors may exceed the minimum requirements for the grade, carcasses whose flesh is moderately soft and slightly watery are not eligible for the Choice grade. The minimum marbling permitted will vary from a small amount in very red-boned, light weight carcasses to a moderate amount in carcasses approaching the maximum maturity permitted. Carcasses which are slightly compact and blocky and with slightly plump rounds and slightly thick fleshing may meet the minimum requirements for the grade provided they have finish and evidences of quality equivalent to the mid-point of the Choice grade.

(4) Beef produced from steers, heifers, and young cows may qualify for the Choice grade.

(c) *Good.* (1) Good grade beef carcasses and wholesale cuts are slightly compact and blocky in conformation and the fleshing tends to be slightly thick throughout. Loins and ribs are slightly full and the rounds are only slightly plump. Chucks are slightly thick and full and the neck and fore shanks tend to be slightly long and thin. The fat covering of beef within the grade will vary within moderate limits depending on the evidences of maturity of the cattle from which it was produced. Carcasses whose chine bones are soft and red and which terminate in soft, pearly white cartilages have a thin exterior fat covering over loins and ribs and over portions of the rounds and chucks. In such beef there will be only a slight protrusion of fat between the chine bones, only a small overflow of fat over the inside of the ribs and only a small quantity of feathering between the ribs. Carcasses whose chine bones are tinged with white and which terminate in cartilages in which some ossification is evident will usually possess a slightly thick exterior fat covering which extends over most of the rounds and chucks. They will have slight protrusions of fat between the chine bones and slightly abundant overflow fat and feathering. The fat may be somewhat soft or slightly oily. Characteristics of the cut surface of the rib eye muscle will vary depending on evidences of maturity attained by the animal from which it was produced. In carcasses whose chine bones are soft and red and which terminate in soft, pearly white cartilages the rib eye has a slight amount of marbling and is usually moderately soft but fine in texture. Carcasses whose chine bones are tinged with white and which terminate in cartilages in which some ossification is evident will have a modest amount of marbling and the muscle is usually slightly soft and slightly coarse in texture. The muscle will usually vary from a light red to a slightly dark red in color but may be slightly two-toned or slightly shady.

(2) Carcasses showing evidence of maximum maturity permitted in the Good grade may have chine bones tinged with white and the cartilages on the end of the chine bones may be moderately ossified. Carcasses must also be at least moderately symmetrical and uniform in contour and the rib eye muscle must be at least moderately fine in texture.

(3) Red-boned, light weight carcasses which have traces of marbling may meet the minimum requirements for Good provided they have conformation equivalent to at least the mid-point of the grade. However, carcasses which show similar evidences of maturity but which are slightly rangy and angular are required to show a slight amount of marbling. Carcasses near the maximum limit for maturity with conformation equivalent to at least the mid-point of this grade may qualify for Good with a small amount of marbling whereas carcasses which show similar evidences of maturity and which are slightly rangy and angular are required to have a modest amount of marbling.

(d) *Commercial.* (1) Beef qualifying for the Commercial grade is quite variable in conformation, finish and quality and in the evidences of maturity attained by the animal from which it was produced. Young, red-boned carcasses are rangy, angular and slightly thin fleshed throughout. Loins and ribs tend to be flat and are slightly thin fleshed. The rounds are moderately flat and tapering. Chucks are slightly flat and thinly fleshed. Such beef will have only a thin covering of external fat over the loins and ribs, practically no protrusion of fat between the chine bones and very scanty quantities of overflow fat and feathering. The cut surface of the rib eye muscle of such beef is somewhat soft and watery but fine in texture and will have little if any marbling. The fat is moderately soft or oily.

(2) Carcasses that have hard, white chine bone are slightly thick fleshed but rather rough and irregular in contour. Rounds are slightly flat and tapering. Loins are moderately wide but slightly sunken and the hips are rather prominent. Ribs tend to be slightly thick and full. Chucks are slightly thin and plates and briskets are wide and "spready". The neck and shanks are slightly long and thin. Such beef will

have a moderately thick exterior fat covering, a moderate protrusion of fat between the chine bones and moderately abundant overflow fat and feathering. The external fat covering of such beef will be considerably thicker over the loins and ribs than over the rounds and chucks and will frequently be patchy or wasty. The fat is usually firm. The cut surface of the rib eye muscle is firm but coarse in texture and the marbling is rather abundant but is also rather coarse and prominent. The lean will usually vary from slightly dark red to dark red in color but may be two-toned or shady.

(3) Young, red-boned, light-weight carcasses with conformation equivalent to the mid-point of the grade as described above may be devoid of marbling and qualify for the commercial grade. However, regardless of the development of other grade factors, older carcasses that have hard, white chine bones must have at least a moderate amount of marbling in the rib eye muscle to qualify for the grade. Carcasses from mature animals with conformation and evidences of quality which only slightly exceed the minimum requirements of the grade are not eligible for the Commercial grade if they are excessively patchy or uneven in distribution of external fat.

Any interested person who desires to submit written data, views, or arguments concerning the proposed revision as set forth herein may do so by filing them with the Director of the Livestock Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C., within 60 days after publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 9th day of May 1950. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-4087; Filed, May 11, 1950; 8:55 a. m.]

[7 CFR, Part 932]

[Docket No. AO-33-A14]

HANDLING OF MILK IN FORT WAYNE, INDIANA, MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER AMENDING ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Fort Wayne, Indiana, on January 31 and February 1, 1950, pursuant to notice thereof which was issued on January 24, 1950 (15 F. R. 466).

Upon the basis of the evidence introduced at the hearing and the record thereof the Assistant Administrator, Production and Marketing Administration, on March 21, 1950, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision. Notice of such recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on March 24, 1950 (15 F. R. 1657).

The statement of material issues, rulings, findings of fact and conclusions of the recommended decision (F. R. Doc. 50-2465, 15 F. R. 1657) are hereby approved and adopted as part of this decision as if set forth in full herein subject to the following amendments:

1. Delete in their entirety the findings and conclusions, beginning on line 53, column 1, 15 F. R. 1659 and ending with line 7, column 1, 15 F. R. 1660, with respect to issue number 4, and substitute therefor the following:

(4) The provisions governing interplant movements of milk should not be revised at this time, except for minor clarification of language.

A producers' association proposed that the order be clarified in regard to the meaning of the terms "diverted" and "diversion" as applied therein to the movement of milk between plants.

In support of this proposal it was testified that (a) in the past producers have been maintained on a handler's producer payroll even though the milk they produced never was received in the handler's fluid milk plant; (b) if the order permits milk to be "diverted" in such manner, it is possible for some milk to be included in the market pool, and to benefit from the uniform price provisions, which may not be available at any time for use in a fluid milk plant; (c) prior to September 1949, when a new handler began routes in the suburbs of Fort Wayne, no milk had been diverted to nonfluid milk plants other than that handled through cooperative associations, and (d) it is not necessary for any handler selling in Fort Wayne proper to divert milk to nonfluid milk plants to find adequate outlets and none has adopted the practice of such diversion.

Certain handlers objected to any change in respect of diversions of milk from fluid milk plants on the primary ground that the proponent cooperative (which does not operate a fluid milk plant) would be allowed to divert milk to nonfluid milk plants, particularly to the manufacturing plant it operates, while proprietary handlers would be denied such privilege. It was contended also that the change, as proposed by producers, would deny a proprietary handler the privilege of selling producer milk to another handler for use in a fluid milk plant without receiving such milk in his own fluid milk plant, thus increasing the cost of handling milk sold between handlers.

Producer associations in the market have requested a hearing on an individual-handler plan of pooling and that additional opportunity for hearing on the matter of diversions and interplant movements of milk be granted. It is stated that the proposed changes in the recommended decision with respect to the latter go farther in their effect than was contemplated by any proposal submitted for hearing and that additional evidence not introduced into the current record is pertinent to the changes being considered. Such proposed changes also have relationship to the type of pooling plan in effect. For these reasons, substantive changes in the affected provisions of the order are deferred pending further consideration in hearing.

2. Delete the third sentence of the fifth paragraph beginning in column 1, 15 F. R. 1660, and substitute therefor the following: "However, it is felt that the provision suggested here is closely related to other proposed changes with respect to which further consideration in hearing has been requested."

Rulings on exceptions. Within the period reserved for filing exceptions, exceptions were submitted on behalf of the Central Dairy, Inc., the Hoosier Condensed Milk Co., the Rose Hill Dairy, Inc., the Allen Dairy Products, Inc., and the Wayne Cooperative Milk Producers, Inc. In arriving at the findings, conclusions and amendment action decided in this decision each of these exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings, conclusions and amendment action decided upon herein are at variance with the exceptions, such exceptions are overruled.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and in the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(c) The order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, the said marketing agreement upon which a hearing has been held.

Determination of representative period. The month of February 1950 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order, as amended, regulating the handling of milk in the Fort Wayne, Indiana, marketing area, in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such marketing order, as amended.

Annexed hereto and made a part hereof are two documents entitled respectively "Marketing Agreement Reg-

ulating the Handling of Milk in the Fort Wayne, Indiana, Marketing Area," and "Order Amending the Order, as amended, Regulating the Handling of Milk in the Fort Wayne, Indiana, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C. this 9th day of May 1950.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Order[1] Amending the Order, as Amended, Regulating the Handling of Milk in the Fort Wayne, Indiana, Marketing Area

AUTHORITY: §§ 932.0 to 932.100 issued under 48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 5 U. S. C. 133y-16.

§ 932.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Fort Wayne, Indiana, on January 31 and February 1, 1950, upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Fort Wayne, Indiana, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that;

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Fort Wayne, Indiana, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

DEFINITIONS

§ 932.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

§ 932.2 *Secretary.* "Secretary" means the Secretary of Agriculture or such other officer or employee of the United States authorized to exercise the powers or to perform the duties of the said Secretary of Agriculture.

§ 932.3 *Department.* "Department" means the United States Department of Agriculture or such other Federal agency authorized to perform the price reporting functions specified in § 932.50 through § 932.54.

§ 932.4 *Market Administrator.* "Market Administrator" means the agency described in § 932.20.

§ 932.5 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 932.6 *Fort Wayne, Indiana, marketing area.* "Fort Wayne, Indiana, marketing area," hereinafter called the "marketing area," means the territory within the corporate limits of Fort Wayne, Indiana.

§ 932.7 *Delivery period.* "Delivery period" means the calendar month or the total portion thereof during which this order is in effect.

§ 932.8 *Cooperative association.* "Cooperative association" means any cooperative marketing association of producers which the Secretary determines, after application by the association:

(a) To be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; and (b) to have full authority in the sale of milk of its members and to be engaged in making collective sales or marketing milk or its products for its members.

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

§ 932.9 *Route.* "Route" means a delivery (including at a plant store) of milk, skim milk, buttermilk, flavored milk, or flavored milk drink in fluid form to a wholesale or retail stop(s) other than to a milk processing or distributing plant(s).

§ 932.10 *Handler.* "Handler" means:

(a) Any person, including any cooperative association, who operates a fluid milk plant; and

(b) Any cooperative association not operating a fluid milk plant with respect to:

(1) Milk caused by it to be delivered from producers' farms to a fluid milk plant for which milk such association is authorized to receive payment; or

(2) Milk certified by the Fort Wayne Board of Health for disposition within the marketing area as fluid milk which such association caused to be delivered, for its account, to a non-fluid milk plant. Milk caused to be so delivered shall be deemed to be received by such association.

§ 932.11 *Producer.* "Producer" means any person, except a producer-handler, having certification issued by the Fort Wayne Board of Health, to produce milk for disposition within the marketing area in the form of fluid milk who produces milk which is received during the delivery period (a) in a fluid milk plant, or (b) by a cooperative association not operating a fluid milk plant. This definition shall be deemed to include any such person whose milk has been received previously in a fluid milk plant but is caused to be delivered from a fluid milk plant to a nonfluid milk plant; and milk so delivered shall be deemed to have been received in such fluid milk plant.

§ 932.12 *Fluid milk plant.* "Fluid milk plant" means any milk processing or distributing plant approved by the appropriate health authorities of the marketing area, from which a route (or routes) is operated wholly or partially within the marketing area.

§ 932.13 *Producer milk.* "Producer milk" means milk produced and handled under the conditions set forth in § 932.11.

§ 932.14 *Other source milk.* "Other source milk" means all skim milk and butterfat other than that contained in producer milk.

§ 932.15 *Producer-handler.* "Producer-handler" means any person who produces milk but receives no milk from producers and operates a route extending into the marketing area.

§ 932.16 *Non-fluid milk plant.* "Non-fluid milk plant" means any milk plant not a fluid milk plant.

MARKET ADMINISTRATOR

§ 932.20 *Designation.* The agency for the administration hereof shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 932.21 *Powers.* The market administrator shall have the following powers with respect to this order:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

§ 932.22 *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this order, including, but not limited to, the following:

(a) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay, out of the funds provided by § 932.86:

(1) The cost of his bond and of the bonds of his employees,

(2) His own compensation, and

(3) All other expenses, except those incurred under § 932.87, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for herein, and, upon request by the Secretary surrender the same to such other person as the Secretary may designate;

(f) Publicly announce, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who within 10 days after the day upon which he is required to perform such acts, has not made (1) reports pursuant to § 932.30 or (2) payments pursuant to §§ 932.80 through 932.89;

(g) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(h) On or before the 10th day after the end of each delivery period report to each cooperative association which so requests the amount and class utilization of milk caused to be delivered by such association, either directly or from producers who have authorized such association to receive payments for them, to each handler to whom the cooperative sells milk. For the purpose of this report the milk caused to be so delivered by an association shall be prorated to each class in the proportion that the total receipts of milk received from producers by such handler were used in each class;

(i) Audit all reports and payments by each handler by inspection of such handler's records and of the records of any other handler or person upon whose utilization the classification of skim milk and butterfat for such handler depends;

(j) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the prices determined for each delivery period as follows:

(1) On or before the 5th day after the end of such delivery period, the minimum class prices and the butterfat differential for each class, and

(2) On or before the 11th day after the end of such delivery period, the uniform price computed pursuant to § 932.71 and the butterfat differential computed pursuant to § 932.82 and

(k) Prepare and disseminate to the public such statistics and information as he deems advisable and as do not reveal confidential information.

REPORTS, RECORDS AND FACILITIES

§ 932.30 *Reports of receipts and utilization.* On or before the 5th day after the end of each delivery period each handler, except a producer-handler, shall report to the market administrator in the detail and on forms prescribed by the market administrator:

(a) The quantities of butterfat and the quantities of skim milk contained (1) in (or used in the production of) all receipts within such delivery period at a fluid milk plant of producer milk, skim milk and butterfat in any form from any other handler, and other source milk, and (2) in all producer milk caused to be delivered during such delivery period to a non-fluid milk plant for the account of such handler.

(b) The product pounds of milk products received from any source other than a handler and disposed of in the same form, except milk products covered by the definition of Class III milk disposed of in the form in which received without further processing by the handler.

(c) The utilization of all receipts required to be reported under paragraphs (a) and (b) of this section; and

(d) Such other information with respect to all such receipts and utilization as the market administrator may prescribe.

§ 932.31 *Other reports.* (a) Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe.

(b) On or before the 20th day after the end of each delivery period each handler shall submit to the market administrator such handler's producer pay roll for the preceding delivery period, which shall show (1) the total pounds of milk received from each producer and cooperative association and the total pounds of butterfat contained in such milk, (2) the amount of payment to each producer and cooperative association, and (3) the nature and amount of any deductions and charges involved in the payments referred to in subparagraph (2) of this paragraph.

§ 932.32 *Records and facilities.* Each handler shall maintain, and make available to the market administrator or to his representative during the usual hours of business, such accounts and records of

his operations and such facilities as are necessary for the market administrator to verify or to establish the correct data with respect to:

(a) The receipts and utilization, in whatever form, of all skim milk and butterfat received, including milk products received and disposed of in the same form;

(b) The weights, samples, and tests for butterfat and for other content of all skim milk and butterfat handled;

(c) Payments to producers and cooperative associations; and

(d) The pounds of skim milk and butterfat contained in or represented by all milk, skim milk, cream and each milk product on hand at the beginning and at the end of each delivery period.

CLASSIFICATION

§ 932.40 *Skim milk and butterfat to be classified.* The market administrator shall classify pursuant to § 932.41 through § 932.46:

(a) All skim milk and butterfat, in any form, received within the delivery period by a handler at his fluid milk plant, in producer milk, in other source milk, and from another handler; and

(b) All skim milk and butterfat in producer milk caused by a handler to be delivered for his account to a non-fluid milk plant.

§ 932.41 *Classes of utilization.* Subject to the conditions set forth in § 932.43 and § 932.44, the skim milk and butterfat described in § 932.40 shall be classified by the market administrator on the basis of the following classes:

(a) Class I milk shall be all skim milk (including reconstituted skim milk) and butterfat:

(1) Disposed of in fluid form as milk, skim milk, buttermilk, or flavored milk or flavored milk drink (except as provided in paragraphs (c) (2) and (3) of this section); and

(2) Not specifically accounted for as any item included under subparagraph (1) of this paragraph or as Class II milk or Class III milk.

(b) Class II milk shall be all skim milk (including reconstituted skim milk) and butterfat disposed of in fluid form as (1) cream or as any mixture containing cream and milk, or skim milk (not including ice cream mix disposed of pursuant to paragraph (c) (4) of this section or any product disposed of in containers or dispensers under pressure for the purpose of dispensing a whipped or aerated product) containing not less than 6 percent of butterfat, and (2) eggnog.

(c) Class III milk shall be all skim milk and butterfat:

(1) Used to produce a milk product other than any of those specified in paragraph (a) (1) or in paragraph (b) of this section;

(2) Dumped or disposed of for livestock feed as skim milk, flavored milk, flavored milk drink, or buttermilk;

(3) Disposed of as bulk skim milk to any manufacturer of candy, soup, or bakery products who does not dispose of milk in fluid form;

(4) Disposed of as ice cream mix to a commercial processor;

(5) In actual plant shrinkage of producer milk computed pursuant to § 932.42, but not in excess of 2 percent thereof; and

(6) In actual plant shrinkage of other source milk computed pursuant to § 932.42.

§ 932.42 *Shrinkage.* The market administrator shall determine the shrinkage of skim milk and butterfat, respectively, in producer milk and in other source milk in the following manner:

(a) Compute the total shrinkage of skim milk and butterfat, respectively, for each handler; and

(b) Prorate the total shrinkage of skim milk and butterfat, respectively, computed pursuant to paragraph (a) of this section between producer milk and other source milk after deducting receipts from other handlers.

§ 932.43 *Responsibility of handlers and reclassification of milk.* (a) All skim milk and butterfat shall be Class I milk, unless the handler who first receives such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified otherwise.

(b) Any skim milk or butterfat classified (except that transferred to a producer-handler) in one class shall be reclassified if used or reused by such handler or by another handler in another class.

§ 932.44 *Disposition to milk plants.* Skim milk or butterfat disposed of by a handler to other milk plants shall be classified as follows:

(a) As Class I milk if disposed of to the fluid milk plant of another handler (except a producer-handler) in the form of milk or skim milk, and as Class II milk if so disposed of in the form of cream, unless utilization in another class is mutually indicated in writing to the market administrator by both handlers on or before the 5th day after the end of the delivery period within which such transaction occurred: *Provided*, That skim milk or butterfat so assigned to a particular class shall be limited to the amount thereof remaining in such class in the plant of the transferee handler after the subtraction of other source milk pursuant to § 932.46 (a) (2), and any excess of such skim milk or butterfat, respectively, shall be assigned in series beginning with the next lowest-priced available utilization.

(b) As Class I milk if disposed of to a producer-handler in the form of milk or skim milk, and as Class II milk if so disposed of in the form of cream;

(c) As Class I milk if disposed of, except as provided in paragraph (d) of this section, to a non-fluid milk plant not operated by the handler in the form of milk or skim milk, and as Class II milk if so disposed of in the form of cream, unless (1) the handler claims another class on the basis of a utilization mutually indicated in writing to the market administrator by both the transferring handler and receiver on or before the 5th day after the end of the delivery period within which such transaction occurred, (2) the receiver maintains books and records showing the utilization of all skim milk and butterfat at his plant which are made available if requested by the market administrator for the purpose of verification, (3) such receiver's plant had actually used not less than an equivalent amount of skim milk and butterfat in the use indicated in such statement: *Provided*, That if upon inspection of his records such receiver's plant had not actually used an equivalent amount of skim milk and butterfat in such indicated use, the remaining pounds shall be classified on the basis of the next higher-priced available use in accordance with the classes set forth in § 932.41;

(d) As Class I milk if disposed of in the form of milk to a milk plant located 100 miles or more from the City Hall in Fort Wayne, Indiana, by shortest highway distance as determined by the market administrator; and

(e) As follows, if contained in producer milk caused to be delivered by a handler to a non-fluid milk plant operated by such handler;

(1) In accordance with its utilization in such non-fluid milk plant if there utilized; or

(2) In accordance with paragraphs (a), (b) or (c) (except for the reference to paragraph (d) therein) of this section, if further moved from such non-fluid milk plant to another milk plant;

Provided, That if the use in or disposition from the non-fluid milk plant of such handler is in conjunction with other receipts, the receipts of producer milk shall be allocated first to the available quantity of Class III milk and any remaining balance of such receipts shall be allocated to the available quantities of Class II milk and of Class I milk in that sequence.

§ 932.45 *Computation of skim milk and butterfat in each class.* For each delivery period, the market administrator shall correct for mathematical and for other obvious errors the delivery period report submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I milk, Class II milk, and Class III milk for such handler.

§ 932.46 *Allocation of skim milk and butterfat classified.* (a) The pounds of skim milk remaining in each class after making the following computations shall be the pounds in such class allocated to producer milk:

(1) Subtract plant shrinkage of skim milk pursuant to § 932.41 (c) (5) from the total pounds of skim milk in Class III milk;

(2) Subtract from the remaining pounds of skim milk in each class, in series beginning with the lowest-priced available use, the pounds of skim milk in other source milk;

(3) Subtract from the remaining pounds of skim milk in each class the skim milk received from other handlers and assigned pursuant to § 932.44;

(4) Add to the remaining pounds of skim milk in Class III milk the pounds subtracted pursuant to subparagraph (1) of this paragraph; or if the remaining pounds of skim milk in all classes exceed the pounds of skim milk in producer milk, subtract such excess from the remaining pounds of skim milk in series beginning with the lowest-priced available use.

(b) Allocate classified butterfat to producer milk according to the method prescribed in paragraph (a) of this section for skim milk.

(c) Determine the weighted average butterfat test of the remaining Class I milk, Class II milk, and Class III milk computed pursuant to paragraphs (a) and (b) of this section.

MINIMUM PRICES

§ 932.50 *Basic formula price to be used in determining class prices.* The basic formula price per hundredweight of milk to be used in determining the class prices provided by this section shall be the highest of the prices per hundredweight for milk of 4.0 percent butterfat content determined by the market administrator pursuant to paragraphs (a), (b) and (c) of this section, computed to the nearest tenth of a cent.

(a) The average of the basic (or field) prices per hundredweight reported to have been paid, or to be paid, for milk of 4.0 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department:

Present operator	*Location*
Defiance Milk Products Co.	Defiance, Ohio.
Pet Milk Co.	Angola, Ind.
Pet Milk Co.	Garrett, Ind.
Kraft-Phenix Cheese Corp.	Kendallville, Ind.

(b) The price per hundredweight computed as follows:

(1) Multiply by six the average daily wholesale price per pound of 92-score butter in the Chicago market as reported by the Department during the delivery period;

(2) Add an amount equal to 2.4 times the average weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price per pound of "Cheddars" shall be used; and

(3) Divide by seven, add 30 percent thereof, and then multiply by 4.0.

(c) The price per hundredweight computed by adding together the plus values pursuant to subparagraphs (1) and (2) of this paragraph:

(1) From the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department during the delivery period, subtract three cents, add 20 percent thereof, and then multiply by 4.0; and

(2) From the arithmetical average of the carlot prices per pound for nonfat dry milk solids (not including that specifically designated animal feed) spray and roller process, f. o. b. manufacturing plants in the Chicago area as published by the Department during the delivery period, deduct 5.5 cents, multiply by 8.5 and then multiply by 0.96, except that if such agency does not publish such prices f. o. b. manufacturing plants, there shall be used for the purpose of this computation the arithmetical average of the carlot prices thereof, delivered at Chicago, Illinois, as published weekly by such agency during the delivery period; and in the latter event the figure "7.5" shall be substituted for "5.5" in the above formula.

§ 932.51 *Class I milk prices.* Subject to the provisions of § 932.54 and § 932.55 the minimum price per hundredweight, on a 4.0 percent butterfat content basis, to be paid by each handler at his plant, for producer milk received and classified as Class I milk, shall be the basic formula price determined pursuant to § 932.50 plus the following:

Delivery period:	*Amount*
April, May, and June	$0.60
October, November, and December	.90
All other months	.75

§ 932.52 *Class II milk prices.* Subject to the provisions of § 932.54 and § 932.55 the minimum price per hundredweight, on a 4.0 percent butterfat content basis, to be paid by each handler, at his plant, for producer milk received and classified as Class II milk, shall be the basic formula price determined pursuant to § 932.50, plus the following:

Delivery period:	*Amount*
April, May, and June	$0.35
October, November, and December	.65
All other months	.50

§ 932.53 *Class III milk prices.* Subject to the provisions of § 932.54 and § 932.55 the minimum price per hundredweight, on a 4.0 percent butterfat content basis, to be paid by each handler, at his plant, for producer milk received and classified as Class III milk, shall be the same as the basic formula price.

§ 932.54 *Butterfat differentials to handlers.* If for any handler, the weighted average butterfat test of his classified producer milk is more or less than 4.0 percent, there shall be added to or subtracted from, as the case may be, the price for such class, for each one-tenth of one percent that such weighted average butterfat test is above or below 4.0 percent, a butterfat differential (computed to the nearest tenth of a cent) calculated by the market administrator for such class as follows:

(a) *Class I milk.* Multiply by 1.3 the average daily wholesale price per pound of 92-score butter in the Chicago market as reported by the Department during the delivery period and divide the result by 10.

(b) *Class II milk.* Multiply by 1.25 the average daily wholesale price per pound of 92-score butter in the Chicago market as reported by the Department during the delivery period and divide the result by 10.

(c) *Class III milk.* Multiply by 1.15 the average daily wholesale price per pound of 92-score butter in the Chicago market as reported by the Department during the delivery period and divide the result by 10.

§ 932.55 *Emergency price provisions.* Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payment being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

APPLICATION OF PROVISIONS

§ 932.60 *Producer-handlers.* Sections 932.40 through 932.46, 932.50 through 932.55, 932.70 through 932.72, and 932.80 through 932.89 shall not apply to a producer-handler.

§ 932.61 *Exempt milk.* Milk received by a handler the handling of which the Secretary determines to be subject to the pricing and payment provisions of any other Federal milk marketing agreement or order issued pursuant to the act for any fluid milk marketing area shall not be subject to the pricing and payment provisions hereof.

§ 932.62 *Milk caused to be delivered by cooperative associations.* A cooperative association shall be deemed to be a handler pursuant to § 932.10 (b) (1), with respect to milk caused by it to be delivered from producers' farms to a fluid milk plant, only for the purpose of making such payments to the market administrator as are required of such association pursuant to the proviso of § 932.84.

DETERMINATION OF UNIFORM PRICE

§ 932.70 *Computation of value of milk.* The value of producer milk received during each delivery period by each handler shall be a sum of money computed by the market administrator by multiplying the pounds of such milk in each class for the delivery period, by the applicable class prices, and adding together the resulting amounts: *Provided*, That if a handler, after subtracting other source milk and receipts from other handlers, has disposed of skim milk or butterfat in excess of the skim milk or butterfat which, on the basis of his report for the delivery period pursuant to § 932.30, has been credited to producers as having been received from them, there shall be added an amount computed by multiplying the pounds in each class as subtracted pursuant to § 932.46 (a) (4) and (b) by the applicable class prices.

§ 932.71 *Computation of uniform price.* For each delivery period, the market administrator shall compute the "uniform price" per hundredweight for milk, on the basis of 4.0 percent butterfat content, received from producers as follows:

(a) Combine into one total the values computed pursuant to § 932.70 for all handlers who made the reports pre-

scribed by § 932.30 except those in default of the payments prescribed in § 932.84 for the preceding delivery period;

(b) Add an amount representing the cash balance on hand in the producer-settlement fund, less the total amount of contingent obligations to handlers pursuant to § 932.85;

(c) Subtract, if the weighted average butterfat test of producer milk represented by the values included under paragraph (a) of this section is greater than 4.0 percent, or add, if such butterfat test is less than 4.0 percent, an amount computed by: multiplying the amount by which its weighted average butterfat test varies from 4.0 percent by the butterfat differential computed pursuant to § 932.82, and multiplying the resulting figure by the total hundredweight of such milk;

(d) Divide the resulting amount by the total hundredweight of producer milk represented by the values included in paragraph (a) of this section; and

(e) Subtract not less than 4 cents nor more than 5 cents (adjusting to the nearest one-tenth cent) from the amount per hundredweight computed under paragraph (d) of this section.

§ 932.72 *Notification of handlers.* On or before the 11th day after the end of each delivery period, the market administrator shall mail to each handler at his last known address, a statement showing (a) the amount and value of his milk in each class and the total thereof; (b) the applicable minimum class prices and uniform price; (c) the amount due such handler or the amount to be paid by such handler, as the case may be, pursuant to § 932.84 and § 932.85; and (d) the amount to be paid by each handler pursuant to §§ 932.80 (a) and (b), 932.86 and 932.87.

PAYMENTS

§ 932.80 *Time and method of final payment.* Each handler shall make payments, after deducting the amount of the payments made pursuant to § 932.81, as follows:

(a) On or before the 15th day after the end of each delivery period, to each producer, except producers for whom payment is received from the handler by a cooperative association pursuant to paragraph (b) of this section, at not less than the uniform price for such delivery period pursuant to § 932.71 adjusted by the producer butterfat differential pursuant to § 932.82, for all milk received from such producer during such delivery period: *Provided*, That if by such date such handler has not received full payment for such delivery period pursuant to § 932.85, he may reduce such payments uniformly per hundredweight for all producers by an amount not in excess of the per hundredweight reduction in payment from the market administrator; however, the handler shall make such balance of payment to those producers to whom it is due on or before the date for making payments pursuant to this paragraph next following that on which such balance of payment is received from the market administrator.

(b) On or before the 13th day after the end of each delivery period, to a cooperative association with respect to milk caused to be delivered from producers' farms to such handler by such association during such delivery period, not less than the value of such milk computed at the minimum class prices. For the purpose of determining the classification of milk caused to be so delivered by a cooperative association to a handler, such milk shall be ratably apportioned among the receiving handler's total Class I milk, Class II milk, and Class III milk as determined pursuant to § 932.46.

§ 932.81 *Partial payments.* (a) On or before the last day of each delivery period, each handler shall make payment, except as set forth in paragraph (b) of this section, to each producer, for the milk received from such producer by such handler during the first 15 days of such delivery period, at not less than the uniform price for the preceding delivery period.

(b) On or before the day immediately preceding the last day of each delivery period, each handler shall make payment to a cooperative association, for milk caused to be delivered from producers' farms to such handler by such association during the first 15 days of such delivery period, at not less than the uniform price of the preceding delivery period.

§ 932.82 *Producer butterfat differential.* In making payments pursuant to § 932.80 (a) there shall be added to, or subtracted from, the uniform price for milk of 4.0 percent butterfat content, for each one-tenth of one percent of butterfat content in such producer milk above or below 4.0 percent, as the case may be, an amount computed by multiplying the average daily wholesale price per pound of 92-score butter at Chicago, as reported by the Department for the delivery period, by 1.15, dividing by 10, and rounding to the nearest tenth of a cent.

§ 932.83 *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to § 932.84 and out of which he shall make all payments to handlers pursuant to § 932.85.

§ 932.84 *Payments to the producer-settlement fund.* On or before the 13th day after the end of each delivery period, each handler shall pay to the market administrator the amount by which the utilization value of producer milk received by such handler during such delivery period is greater than the value of such milk computed at the uniform price pursuant to § 932.71 adjusted by the butterfat differential provided by § 932.82: *Provided*, That with respect to milk for which payment is made by a handler to a cooperative association pursuant to § 932.80 (b), the association, in turn, shall pay to the market administrator, on or before the 14th day after the end of each delivery period, the amount by which the utilization value of such milk is greater than its value computed at the uniform price pursuant to § 932.71 adjusted by the butterfat differential provided by § 932.82.

§ 932.85 *Payments out of the producer-settlement fund.* On or before the 15th day after the end of each delivery period, the market administrator shall pay to each handler the amount by which the utilization value of producer milk received by such handler during such delivery period is less than the value of such milk computed at the uniform price pursuant to § 932.71 adjusted by the butterfat differential provided by § 932.82, less any unpaid obligations of such handler to the market administrator pursuant to § 932.84, § 932.86, § 932.87, and § 932.88: *Provided*, That with respect to milk for which payment is made by a handler to a cooperative association pursuant to § 932.80 (b), the market administrator shall pay, on or before the 15th day after the end of each delivery period, to such association the amount by which the utilization value of such milk is less than its value computed at the uniform price pursuant to § 932.71 adjusted by the butterfat differential provided by § 932.82: *And provided further*, That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

§ 932.86 *Expense of administration.* As his pro rata share of the expense incurred pursuant to § 932.22 (d) each handler shall pay the market administrator, on or before the 13th day after the end of each delivery period, 4 cents per hundredweight, or such lesser amount as the Secretary from time to time may prescribe with respect to all receipts within the delivery period of (a) producer milk (including such handler's own production), and (b) other source milk classified as Class I milk pursuant to § 932.41 (a) (1) and Class II milk.

§ 932.87 *Marketing services.* (a) Except as set forth in paragraph (b) of this section, each handler, in making payments to producers pursuant to § 932.80 (a), shall make a deduction of 4 cents per hundredweight of milk, or such lesser deduction as the Secretary from time to time may prescribe, with respect to the following:

(1) All milk received from producers at a plant not operated by a cooperative association; and

(2) All milk received at a plant operated by a cooperative association from producers who are not members of such association.

Such deductions shall be paid by the handler to the market administrator on or before the 13th day after the end of each delivery period. Such moneys shall be expended by the market administrator for verification of weights, samples, and tests of milk received from such producers and in providing for market information to such producers; such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) In the case of each producer (1) who is a member of, or who has given written authorization for the rendering

of marketing services and the taking of deduction therefor to a cooperative association, (2) whose milk is received at a plant not operated by such association, and (3) for whom the Secretary determines that such association is performing the services described in paragraph (a) of this section, each handler shall deduct, in lieu of the deduction specified under paragraph (a) of this section, from the payments made pursuant to § 932.80 (a) the amount per hundredweight on milk authorized by such producer and shall pay over, on or before the 13th day after the end of such delivery period, such deduction to the association entitled to receive it under this paragraph.

§ 932.88 *Adjustments of accounts.* (a) Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses errors resulting in moneys due (1) the market administrator from such handler, (2) such handler from the market administrator, or (3) any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any such amount due; and payment thereof shall be made on or before the next date for making payment set forth in the provision under which such error occurred following the 5th day after such notice.

(b) Any unpaid obligation of a handler or of the market administrator pursuant to §§ 932.80 through 932.87 or to paragraph (a) of this section shall bear interest at the rate of one-half of one percent per month, such interest to accrue on the 5th day of the calendar month next following the due date of such obligation and on the first day of each calendar month thereafter until such obligation is paid.

§ 932.89 *Termination of obligations.* The provisions of this section shall apply to any obligation under this order for the payment of money irrespective of when such obligation arose, except an obligation involved in an action instituted before August 1, 1949, under section 8c (15) (A) of the act or before a court.

(a) The obligation of any handler to pay money required to be paid under the terms of this order shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this order, to make available to the market administrator or his representatives all books and records required by this order to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this order to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this order shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION, OR TERMINATION

§ 932.90 *Effective time.* The provisions hereof, or of any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 932.91 *Suspension or termination.* The Secretary shall, whenever he finds that this order, or any provision thereof, obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this order or any such provision thereof.

§ 932.92 *Continuing obligations.* If, upon the suspension or termination of any or all provisions of this order, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 932.93 *Liquidation.* Upon the suspension or termination of the provisions hereof, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 932.100 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

§ 932.101 *Separability of provisions.* If any provision hereof, or its application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions hereof, to other persons or circumstances shall not be affected thereby.

[F. R. Doc. 50-4039; Filed, May 11, 1950; 8:47 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

United States Coast Guard

[CGFR 50-14]

RANGE LIGHTS

NOTICE OF REDUCTION IN HEIGHT

Whereas, section 360, Title 33, U. S. C., provides that any requirement as to the number, position, range of visibility, or arc of visibility of navigation lights, required to be displayed by Coast Guard vessels, under acts of Congress, as enumerated in said section 360, Title 33, U. S. C., shall not apply to any vessel of the Coast Guard where the Secretary of the Treasury shall find or certify that, by reason of special construction, it is not possible with respect to such vessel or class of vessels, to comply with statutory requirements as to the number, position, range of visibility, or arc of visibility of navigation lights; and

Whereas, a study of the arrangement and position of the navigation lights of the Coast Guard vessels "Bering Strait" (WAVP-382), "Half Moon" (WAVP-378), and "Yakutat" (WAVP-380) has been made in the Treasury Department

and as a result of such study, it has been determined that because of their special construction it is not possible for these three vessels to comply with the requirements of the statutes enumerated in said section 360, Title 33, U. S. C.;

Now, therefore, as a result of the aforesaid study, it is hereby found that the Coast Guard vessels "Bering Strait," "Half Moon," and "Yakutat" are Coast Guard vessels of special construction and that on such vessels, with respect to the position of the additional white light (commonly termed the range light), it is not possible to comply with the requirements of the statutes enumerated in section 360, Title 33, U. S. C. Further, it is hereby found that it is feasible to locate the said additional white light (commonly termed the range light), if such light is installed, in such position that the said additional white light and the masthead light shall be in line with the keel, the after light shall be 11 feet higher than the forward light and the vertical distance between the two lights shall be less than the horizontal distance. It is hereby directed that the aforesaid additional white light, if such light is installed, shall be located in the manner above described and certification is hereby made that such location constitutes compliance as closely with the applicable statutes as is found to be feasible.

Dated: MAY 8, 1950.

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 50-4044; Filed, May 11, 1950; 8:48 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

CLASSIFICATION ORDER

APRIL 28, 1950.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as hereinafter indicated, the following described land in the Sacramento, California, land district, embracing approximately 160 acres,

CALIFORNIA SMALL TRACT CLASSIFICATION NO. 207

For lease and sale for homesites only:

T. 30 S., R. 37 E., M. D. M., Sec. 34, NE¼

The land is situated about 22 miles northeast of Mojave, in Kern County, California. The tracts can be reached over State Highway 6, running from Los Angeles through the Owens Valley and over a connecting paved road that leads to the eastern side of the land. The area is a part of the Mojave Desert and is covered with small sand dunes. There is no surface water available, but water can be developed through the sinking of wells. Mojave, the nearest community for trading purposes, has all necessary stores and other community services.

2. As to applications regularly filed prior to 9:00 a. m., July 1, 1949, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., June 30, 1950. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., June 30, 1950, to the close of business on September 28, 1950.

(b) Advance period for veterans' simultaneous filings from 9:00 a. m., July 1, 1949, to 10:00 a. m., June 30, 1950.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., September 29, 1950.

(a) Advance period for simultaneous nonpreference filings from 9:00 a. m., July 1, 1949, to 10:00 a. m., September 29, 1950.

5. Applications filed within the periods mentioned in paragraphs 3 (b) and 4 (a) will be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All of the land will be leased in tracts of approximately 2½ acres, each being approximately 330 by 330 feet.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application, provided the tract conforms to or is made to conform to the area and the dimension specified in paragraph 6.

8. Leases will be for a period of five years at an annual rental of $5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of $20.00 per acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

9. Tracts will be subject to rights-of-way for road purposes and public utilities, as follows:

33 feet along north, east, south and west sides of the subdivision,

16½ feet along the west side of the E½NE¼,

16½ feet along the east side of the W½NE¼,

16½ feet along the south side of N½N½NE¼, S½N½NE¼, and N½S½NE¼,

16½ feet along the north side of S½N½SE¼ and N½S½NE¼.

Tracts will also be subject to any existing rights-of-way. Such rights-of-way may be utilized by the Federal Government, or the state, county or municipality in which the tract is situated, or by any agency thereof.

10. All inquiries relating to these lands should be addressed to the Manager, Land Office, Sacramento, California.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 50-4043; Filed, May 11, 1950; 8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

DELEGATION OF AUTHORITY

Pursuant to the authority vested in me by R. S. 161 (5 U. S. C. 22), the authority vested in the head of a bureau, agency, branch, or corporation under §§ 1.3 through 1.10, Title 7, CFR, may be redelegated by such head to an official reporting directly to him.

Done at Washington D. C., this 9th day of May 1950.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-4089; Filed, May 11, 1950; 8:55 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4209]

CAPITAL AIRLINES, INC.

NOTICE OF HEARING

In the matter of the application of Capital Airlines, Inc., for amendment of its certificates of public convenience and necessity for routes Nos. 14 and 55 so as to authorize Capital to serve Baltimore, Md., and to omit Pittsburgh, Pa., on scheduled all-cargo flights which serve New York-Newark and cities on route No. 14 west of Baltimore.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that the above-entitled proceeding is assigned for hearing on Wednesday, May 24, 1950, at 10:00 a. m., e. d. s. t., in Room 116, Wing "C", Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Curtis C. Henderson.

Without limiting the scope of the issues involved in this procedure, particular attention will be directed to the question as to whether or not the public convenience and necessity require the amendment of the certificates of public convenience and necessity of Capital Airlines, Inc., for routes Nos. 14 and 55 so as to authorize Capital to serve Baltimore, Md., and to omit Pittsburgh, Pa., on scheduled all-cargo flights which

serve New York-Newark and cities on Route No. 14 west of Baltimore.

Notice is further given that any person desiring to be heard in opposition to the above application must file with the Board on or before May 24, 1950, a statement setting forth the issues of fact or law which he desires to controvert.

For further details of the service proposed and authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., May 8, 1950.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 50-4042; Filed, May 11, 1950; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6292]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF APPLICATION

MAY 8, 1950.

Take notice that on May 4, 1950, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by California Electric Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of California and Nevada with its principal business office at Riverside, California, seeking an order authorizing the issuance of $2,000,000 principal amount of First Mortgage Bonds ____ percent Series due 1980, to be issued, after competitive bidding, on or about June 12, 1950, and to mature June 1, 1980; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 31st day of May 1950, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-4029; Filed, May 11, 1950; 8:46 a. m.]

[Docket Nos. G-882, G-1152, G-1317]

TRUNKLINE GAS SUPPLY CO. ET AL.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AMENDING ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AND PROVIDING FOR FURTHER HEARINGS

MAY 9, 1950.

In the matters of Trunkline Gas Supply Company, Docket No. G-882; Panhandle Eastern Pipe Line Company, Docket No. G-1317; City of Port Huron, City of Marysville, and City of St. Clair, Michigan, Municipal corporations, Docket No. G-1152.

Notice is hereby given that, on May 4, 1950, the Federal Power Commission issued its order entered May 4, 1950, in the above-designated matters, amending the certificate of public convenience and necessity issued to Trunkline Gas Supply Company, Docket No. G-882, by order of April 29, 1949, published in the FEDERAL REGISTER on May 6, 1949 (14 F. R. 2361), and issuing a certificate of public convenience and necessity to Panhandle Eastern Pipe Line Company, Docket No. G-1317, and setting further hearings in Docket No. G-1317, for 10:00 a. m., e. d. s. t., June 12, 1950, in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-4039; Filed, May 11, 1950; 8:47 a. m.]

[Docket No. G-1148]

PHILLIPS PETROLEUM CO.

ORDER POSTPONING HEARING

MAY 5, 1950.

Phillips Petroleum Company requested on May 1, 1950, that the hearing in Docket No. G-1148 now set for Bartlesville, Oklahoma, on May 15, 1950, be continued for 30 days so that it may adequately prepare for such hearing. The Staff of the Commission joins in the request.

The Commission finds: Good cause has been shown for postponing the hearing in this proceeding as hereinafter ordered.

The Commission orders: The hearing in this matter now set to commence on May 15, 1950, be and it is hereby postponed to June 26, 1950, at the same hour and place.

Date of issuance: May 5, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-4027; Filed, May 11, 1950; 8:45 a. m.]

[Docket No. G-1326]

COLORADO INTERSTATE GAS CO. AND CANADIAN RIVER GAS CO.

ORDER FIXING DATE OF ORAL ARGUMENT AND GRANTING MOTION FOR WAIVER OF INTERMEDIATE DECISION PROCEDURE

MAY 4 1950.

On April 19, 1950, during the course of hearings herein, Colorado Interstate Gas Company and Canadian River Gas Company, joint applicants, pursuant to the provisions of paragraph (c) of § 1.30 of the Commission's rules of practice and procedure, moved that the intermediate decision procedure be waived, and requested that the Commission hear oral argument in this matter and grant opportunity for the filing of proposed findings and conclusions with briefs in support thereof. No objection was made by any of the parties to the granting of such motion.

The Commission finds: It is appropriate that said motion be granted and that oral argument in these proceedings be had before the Commission as hereinafter ordered.

The Commission orders:

(A) The said motion for waiver of the intermediate decision procedure be and the same is hereby granted.

(B) Oral argument be had before the Commission on May 24, 1950, at 10:00 a. m. (e. d. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

(C) Briefs, and proposed findings and conclusions, if any, may be filed on or before May 22, 1950.

Date of issuance: May 5, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-4028; Filed, May 11, 1950; 8:46 a. m.]

FEDERAL TRADE COMMISSION

[Docket No. 5695]

AMERICAN COUNCIL ON PUBLIC AFFAIRS AND MORRIS B. SCHNAPPER

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of American Council on Public Affairs, a corporation, and Morris B. Schnapper, individually and as an officer of American Council on Public Affairs, a corporation.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Clyde M. Hadley, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Tuesday, May 23, 1950, at ten o'clock in the forenoon of that day, e. d. s. t., in Room 332, Federal Trade Commission Building, Washington, D. C.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include a recommended findings and conclusions, as well as the reasons or basis therefor,

upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

Issued: May 5, 1950.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 50-4047; Filed, May 11, 1950; 8:49 a. m.]

[Docket No. 5764]

INTERSTATE TRAINING SERVICE CORP. ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

In the matter of Interstate Training Service Corporation, a corporation, and Conard E. Green and Leon A. Crouch, individually, as officers of said corporation, and also trading as copartners under the firm name of Interstate Training Service; and Conard E. Green, Leon A. Crouch and Jacob W. Spatz, trading under the firm name of American Academy of Applied Science.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Frank Hier, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Friday, June 2, 1950, at ten o'clock in the forenoon of that day, P. s. t., at Department 60, Superior Court, 524 North Spring Street, Los Angeles, California.

Upon completion of the taking of testimony and receipt of evidence in support of the allegations of the complaint, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

Issued: May 5, 1950.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 50-4046; Filed, May 11, 1950, 8:49 a. m.]

GENERAL SERVICES ADMINISTRATION

[Administrator's Temporary Reg. 2, Amdt. 1]

DISPOSAL OF EXCESS AND SURPLUS PROPERTY

Section II of Administrator's Temporary Regulation No. 2, July 1, 1949 (14 F. R. 3694) is hereby amended by adding thereto a new paragraph (d) to read as follows:

(d) Property which has been declared to the Federal Supply Service as excess may, with the approval of an authorized field representative of an agency designated by the President under the provisions of the Independent Offices Appropriation Act, 1950, or other similar provisions of law, to render assistance in alleviating hardship or suffering caused by any catastrophe, (1) be loaned by any holding agency to any State or other non-Federal public body for use in alleviating such hardship or suffering, and (2) be disposed of by such holding agency through negotiated sale to the public body in possession thereof after the disposal date established in the declaration of excess: *Provided,* That no Federal agency has forwarded a purchase order therefor.

JESS LARSON, *Administrator of General Services.*

MAY 5, 1950.

[F. R. Doc. 50-4040; Filed, May 11, 1950; 8:48 a. m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

CHIEFS OF PERSONAL PROPERTY SECTIONS; FIELD OFFICE PERSONAL PROPERTY ASSISTANTS

DESCRIPTION OF AGENCY AND PROGRAMS AND FINAL DELEGATIONS OF AUTHORITY

Section III, Field Organization and Final Delegations of Authority, is amended by adding the following to the end of the first sentence in Section III b: "in Section III g to Chiefs of the Personal Property Sections, and in Section III h to Field Office Personal Property Assistants."

Paragraphs g and h are added as follows:

g. *Delegations to Chiefs of the Personal Property Sections.* The following powers are delegated to Chiefs of the Personal Property Sections:

1. Pursuant to the provisions of Public Laws 412 (75th Congress), 671, 781, and 849 (76th Congress) and 9, 73, and 353 (77th Congress), all as amended, in respect to the administration of projects and of the Field Office:

(a) To execute contracts for the purchase and rental of equipment and supplies, for the rental of space, and for the purchase of services other than personal services.

(b) To issue Government Bills of Lading (Standard Form 1103), and to execute contracts for the transportation of personal property.

(c) To execute contracts covering the sale of personal property, including trailers, portable shelter units, mobile units, and other property classified as personal for disposition purposes.

(d) To approve the Bid and Contract Form, PHA-1470a, for the sale of personal property costing $25,000 or more when the sale is made by a Housing Manager.

(e) To execute Certificates of Release (Standard Form 97) in connection with the disposition of motor vehicles.

(f) To order the publication of advertisements, in accordance with General Accounting Office General Regulation No. 109 Revised.

h. *Delegations to Field Office Personal Property Assistants.* The Field Office Personal Property Assistants are delegated the power to execute contracts for the sale of trailers or portable shelter units when conducting such sale on the project site.

Approved: May 5, 1950.

[SEAL] JOHN TAYLOR EGAN, *Commissioner.*

[F. R. Doc. 50-4030; Filed, May 11, 1950; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 562, Rev. King's I. C. C. Order 23]

PENNSYLVANIA RAILROAD CO. ET AL.

REROUTING OR DIVERSION OF TRAFFIC

In the opinion of Homer C. King, Agent, certain railroads, because of a strike of locomotive firemen called for May 10, 1950, by the Brotherhood of Locomotive Firemen and Enginemen, are unable to transport traffic routed over their lines in the areas affected by the strike. It is ordered, that:

(a) *Rerouting traffic.* The Pennsylvania Railroad west of Harrisburg, Pennsylvania, and New Boston Junction, Pennsylvania; the New York Central System west of Buffalo, New York; the Southern Railway System; the Gulf, Mobile and Ohio Railroad Company between Corinth, Mississippi and Memphis, Tennessee and between Corinth, Mississippi and Birmingham, Alabama; and the Atchison, Topeka and Santa Fe Railway Company (not including the Gulf, Colorado and Santa Fe), and their connections are hereby authorized to reroute or divert traffic routed over their lines affected by strike of firemen; the billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Concurrence of receiving roads to be obtained.* The railroads named or their connections desiring to divert or reroute traffic over the line or lines of another carrier under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) *Notification to shippers.* The carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Effective date.* This order shall effective at 12:01 a. m., May 10, 1950.

(g) *Expiration date.* This order shall expire at 11:59 p. m., May 25, 1950, unless otherwise modified, changed, suspended or annulled.

It is further ordered, that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., May 9, 1950.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Agent.

[F. R. Doc. 50-4049; Filed, May 11, 1950; 8:49 a. m.]

[Rev. S. O. 562, King's I. C. C. Order 25]

DULUTH AND NORTHEASTERN RAILROAD CO.

REROUTING OR DIVERSION OF TRAFFIC

In the opinion of Homer C. King, Agent, the Duluth and Northeastern Railroad Company because of floods and bridge washouts is unable to transport traffic routed over and to points on its line. It is ordered, that:

(a) *Rerouting traffic.* The Duluth and Northeastern Railroad Company and its connections are hereby authorized and directed to reroute or divert traffic routed over and to points on its line, over any available route to expedite the movement; the billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Concurrence of receiving roads to be obtained.* The railroad named or its connections desiring to divert or reroute traffic over the line or lines of another carrier under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) *Notification to shippers.* The carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Effective date.* This order shall become effective at 5:00 p. m., May 8, 1950.

(g) *Expiration date.* This order shall expire at 11:59 p. m., May 31, 1950, unless otherwise modified, changed, suspended or annulled.

It is further ordered, that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., May 8, 1950.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Agent.

[F. R. Doc. 50-4050; Filed, May 11, 1950; 8:49 a. m.]

[4th Sec. Application 24944, Amdt.]

IRON AND STEEL ARTICLES FROM ST. LOUIS, MO., TO NORTH PACIFIC COAST POINTS

APPLICATION FOR RELIEF

MAY 9, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 1537.

Commodities involved: Iron and steel articles, also electrical appliances, carloads.

From: St. Louis, Mo., and points taking St. Louis rates on the Illinois Terminal Railroad.

To: North Pacific Coast points.

Grounds for relief: Circuitous routes and to maintain grouping.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. 1537, Supplement 22.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-4031; Filed, May 11, 1950; 8:46 a. m.]

[4th Sec. Application 25082]

PIG IRON FROM TEXAS TO LITCHFIELD, ILL.

APPLICATION FOR RELIEF

MAY 9, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3599.

Commodities involved: Pig iron, carloads.

From: Daingerfield and Lone Star, Tex.

To: Litchfield, Ill.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3599, Supplement 64.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a

request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-4032; Filed, May 11, 1950; 8:46 a. m.]

[4th Sec. Application 25083]

GLASS CONTAINERS FROM TRUNK LINE TO NEW ENGLAND TERRITORY

APPLICATION FOR RELIEF

MAY 9, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents, for and on behalf of carriers parties to their tariffs I. C. C. Nos. A-821 and 521, respectively.

Commodities involved: Glass containers, carloads.

From: Points in New York and New Jersey.

To: Points in New England territory.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: I. N. Doe's tariff I. C. C. No. 521, Supplement 38. C. W. Boin's tariff I. C. C. No. A-821, Supplement 38.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-4033; Filed, May 11, 1950; 8:46 a. m.]

[4th Sec. Application 25084]

MURIATIC ACID FROM TEXAS TO ILLINOIS

APPLICATION FOR RELIEF

MAY 9, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3752.

Commodities involved: Muriatic (hydrochloric) acid, tank carloads.

From: Houston and Velasco, Tex.

To: Chicago, including points in Chicago switching district, Joliet, Pekin and Peoria, Ill.

Grounds for relief: Circuitous routes and market competition.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3752, Supplement 428.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-4034; Filed, May 11, 1950; 8:46 a. m.]

[4th Sec. Application 25085]

PULPBOARD FROM GEORGETOWN, S. C., TO THE EAST

APPLICATION FOR RELIEF

MAY 9, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for and on behalf of carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1018.

Commodities involved: Pulpboard or fibreboard, carloads.

From: Georgetown, S. C.

To: Cambridge, Mass., and points in New Jersey.

Grounds for relief: Competition with water-rail carriers and competition with motor-water carriers.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1018, Supplement 95.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-4035; Filed, May 11, 1950; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 14582]

HIDESHIGE KASHIWAGI

In re: Stock owned by Hideshige Kashiwagi. F-39-6138-D-1, F-39-6138-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hideshige Kashiwagi, whose last known address is Hayama, Kanagawa-Ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Two and nine-tenths (2.9) shares of $10.00 par value common capital stock of Cities Service Company, 60 Wall Street, New York 5, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered VL292461 for twenty-five (25) shares and XL271980 for four (4) shares of common no par value stock of the aforesaid Company, registered in the name of Hideshige Kashiwagi, together with all declared and unpaid dividends thereon, and any and all rights to receive a new certificate for shares of $10.00 par value stock of the aforesaid Company,

b. Four (4) shares of $0.10 par value common capital stock of American General Corporation, 420 Lexington Avenue, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificate numbered C-060246, registered in the name of Hideshige Kashiwagi, together with all declared and unpaid dividends thereon,

c. Two (2) shares of $1.00 par value common capital stock of Standard Power and Light Company, 15 Exchange Place, Jersey City 2, New Jersey, a corporation organized under the laws of the State of Delaware, evidenced by certificate numbered C-04422, registered in the name of Hideshige Kashiwagi, together with all declared and unpaid dividends thereon,

d. Seven and one-half (7½) shares of $6.00 cumulative preferred capital stock of the General Investment Corporation, 941 North Meridian Street, Indianapolis, Indiana, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered NYPO

4581 for seven (7) shares, NYPO4584 for one-half (½) share, registered in the name of Hideshige Kashiwagi, together with all declared and unpaid dividends thereon, and any and all rights of exchange thereunder, including particularly but not limited to the right to receive a cash distribution of $74.52 per share, seven and five-tenths (7⅕) shares of $1.50 cumulative preferred capital stock of Stokely Foods, Inc., twenty and one-fifth (20⅕) shares of common capital stock of Stokely Foods, Inc., twenty-five five hundredths (25/500) share of common scrip of Stokely Foods, Inc., forty-six (46) shares of common capital stock of First York Corporation, seven hundred and fifty one thousandths (750/1000) share of common scrip of First York Corporation, together with all declared and unpaid dividends applicable to the shares of stock received under such exchange, and

e. Five (5) shares of common capital stock of the General Investment Corporation, 941 North Meridian Street, Indianapolis, Indiana, a corporation organized under the laws of the State of Delaware, evidenced by certificate numbered NY28744, registered in the name of Hideshige Kashiwagi, together with all declared and unpaid dividends thereon, and any and all rights of exchange thereunder, including particularly but not limited to the right to receive one-thirtieth (1/30) share of common capital stock of Stokely Foods, Inc., together with all declared and unpaid dividends applicable to the stock received under such exchange,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4051; Filed, May 11, 1950; 8:50 a. m.]

[Vesting Order 14600]

ELIZABETH EBERZ

In re: Estate of Elizabeth Eberz, also known as Elisabetha Eberz, deceased. File No. D-28-12800; E. T. sec. 16974.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kathe Muller, Johann Held, Gretel Neudorfer and Kathi Held, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Elizabeth Eberz, also known as Elisabetha Eberz, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by the Clerk, Orphans' Court of Philadelphia County, Pennsylvania, as depositary, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Philadelphia, Pennsylvania;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4052; Filed, May 11, 1950; 8:50 a. m.]

[Vesting Order 14603]

ANNA C. LOTTERHOFER

In re: Estate of Anna C. Lotterhofer, deceased. File No. D-28-12391; E. T. sec. 16614.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Paula Wenger, nee Innerhofer and Elisabeth Lotterhofer, who on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, have been residents of Germany, are nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, in and to the estate of Anna C. Lotterhofer, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Albert S. Herskowitz, as Administrator, acting under the judicial supervision of the Orphans' Court, County of Philadelphia, Pennsylvania;

and it is hereby determined:

4. That the national interest of the United States requires that the said Paula Wenger, nee Innerhofer and the said Elisabeth Lotterhofer be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4053; Filed, May 11, 1950; 8:50 a. m.]

[Vesting Order 14613]

DORA BERG

In re: Bank account owned by Dora Berg. F-28-30628-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dora Berg, on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Dora Berg, by The New York Trust Company, 100 Broadway, New York 15, New York, arising out of a checking account, entitled Mrs. Dora Berg, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4054; Filed, May 11, 1950; 8:50 a. m.]

[Vesting Order 14615]

UNKNOWN GERMAN NATIONAL

In re: Bank account owned by German national, whose name is unknown. F-63-60-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the amount of $1,373.19 referred to in subparagraph 4 hereof was received by The National City Bank of New York, 55 Wall Street, New York, New York, from Credit Suisse, Geneva, Switzerland, for deposit in the latter's blocked checking account at said The National City Bank of New York, under the designation Credit Suisse (Blocked Acc't) Geneva, Switzerland;

2. That although the name of the owner of the property described in subparagraph 4 hereof is not available, such person is within Germany;

3. That the owner of the property described in subparagraph 4 hereof, who there is reasonable cause to believe is a resident of Germany, is a national of a designated enemy country (Germany);

4. That the property described as follows: That certain debt or other obligation of The National City Bank of New York, 55 Wall Street, New York, New York, in the amount of $1,373.19, as of August 17, 1949, representing a portion of a checking account, entitled Credit Suisse (Blocked Acc't) Geneva, Switzerland, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the person referred to in subparagraph 3 hereof, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the person referred to in subparagraph 3 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4055; Filed, May 11, 1950; 8:50 a. m.]

[Vesting Order 14616]

FRANZ XAVER HAAS ET AL.

In re: Bank account owned by Franz Xaver Haas and others. D-28-10446-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons whose names and last known address are as follows:

Name and Address

Franz Xaver Haas, Laupheim, Wuerttemberg, Germany.

George Haas, Dachau, Undestr. 24/1, Germany.

Maria Theresia Herrmann, Muenchen, Linnpunstrasse 60/31, Germany.

Anna Kammermeier, Muenchen, Linnpunstrasse 60, Germany.

Regina Hudler, Muenchen, Schellingstr. 44, Germany.

August Haas, Garmisch, Bezirksamt, Germany.

Johann Haas, Altenmarkt, a. d., Germany.

are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of American Trust Co., 464 California Street, San Francisco, California, arising out of a Savings Account, account number 6169, entitled Otto A. Hoecker, Trustee, excepting, however, the sum of $60.00 in said account, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Franz Xaver Haas, George Haas, Maria Theresia Herrmann, Anna Kammermeier, Regina Hudler, August Haas and Johann Haas, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4056; Filed, May 11, 1950; 8:50 a. m.]

[Vesting Order 14618]

ANNA SCHAFHEITLIN

In re: Bank account owned by Anna Schafheitlin also known as Anna M. Schafheitlin. F-28-1817-E-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Schafheitlin also known as Anna M. Schafheitlin, whose last known address is (21a) Dutzen, Krs. Minden i. W. Lubbeckerstr. 100, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Anna Schafheitlin also known as Anna M. Schafheitlin, by The Bryn Mawr Trust Company, Bryn Mawr, Pennsylvania, arising out of a savings account, account number 6401, entitled

Anna Schafheitlin, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4057; Filed, May 11, 1950; 8:50 a. m.]

[Vesting Order 14619]

FRED SCHMUDDE

In re: Debt owing to Fred Schmudde, also known as Friedrich Schmudde. D-28-9556-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Fred Schmudde, also known as Friedrich Schmudde, whose last known address is Lubbecke Westf. Rudolf-Str. 9, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation represented by Claim No. 22345 against the insolvent Old-First National Bank and Trust Company of Fort Wayne, Indiana and two (2) checks drawn by the Comptroller of the Currency on Fort Wayne National Bank of Fort Wayne, Indiana, payable to Fred Schmudde, also known as Friedrich Schmudde, dated April 25, 1941 and March 31, 1944, numbered P-220,723 and Q-171,625 in the amounts of $98.90 and $314.55 respectively, representing the 5th and 6th (final) and interest dividends on the aforesaid claim and presently in the custody of the Division of Insolvent National Banks, Office of the Comptroller of the Currency, Treasury Department, Washington, D. C., and any and all rights to demand, enforce and collect the aforesaid debt or other obligation any and all rights in, to and under, including particularly, but not limited to, the right to possession and presentation for collection and payment of the aforesaid checks.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4058; Filed, May 11, 1950; 8:50 a. m.]

[Vesting Order 14620]

T. SHIMO

In re: Bank account and securities owned by and debts owing to T. Shimo, also known as Toyokichi Shimo. D-39-15373-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That T. Shimo, also known as Toyokichi Shimo, whose last known address is Japan, is a resident of Japan, and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to T. Shimo, also known as Toyokichi Shimo, by John D. Kistel, Box 66, Floral Park, New York, in the amount of $3,000.00 as of February 20, 1950, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation of the Empire Trust Company, 580 Fifth Avenue, New York City, arising out of a Thrift Account, entitled John Kistel, numbered A 3136 maintained with the aforesaid company, and any and all rights to demand, enforce and collect the same,

c. Those certain debts or other obligations evidenced by six (6) checks, dated, numbered and in the amounts set forth below, and representing dividends received from the corporations named opposite each such check,

Date	Check No.	Amount	Corporation
Mar. 1, 1950	94373	$30.00	National Tea Co.
Do.	C111976	6.25	Deere & Co.
Do.	12818	10.00	Tidewater Oil.
Mar. 10, 1950	200-871	37.50	General Motors Corp.
Mar. 15, 1950	57-616	20.00	Consolidated Edison.
Do.	229-806	6.25	Maytag Co.

said checks presently in the custody of John Kistel, Box 66, Floral Park, New York, together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under, including the right to possession and presentation of, the aforesaid checks,

d. Twenty-five fortieths (25/40ths) of a share of common stock of The Pittston Company, 350 Fifth Avenue, New York City, evidenced by a certificate numbered F 35335, presently in the custody of John D. Kistel, Box 66, Floral Park, New York, together with all declared and unpaid dividends thereon, and

e. Twenty-five fortieths (25/40ths) of a share of common stock of The New York, Chicago and St. Louis Railroad Company, Terminal Tower, Cleveland, Ohio, evidenced by a certificate numbered F 41130, presently in the custody of John D. Kistel, Box 66, Floral Park, New York, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, T. Shimo, also known as Toyokichi Shimo, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4059; Filed, May 11, 1950; 8:50 a. m.]

[Vesting Order 14622]

KATIE STEIGMUELLER

In re: Debts owing to and other property owned by Katie Steigmueller. F-28-25218-D-1; E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Katie Steigmueller, whose last known address is Weingarten/Wurtt Schiessplatzstr. 6, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain debts or other obligations, matured or unmatured, evidenced by three (3) Edgewater Beach Apartments Liquidation Trust 15 year Income Notes, said notes numbered 1647/48, each of $100.00 face value and 959 of $50.00 face value, registered in the name of Katie Steigmueller, and all rights to demand, enforce and collect the aforesaid debts or other obligations, and any and all rights in, to and under the aforesaid notes,

b. Those certain $50.00 par value preferred units of the Edgewater Beach Apartments Liquidation Trust, The First National Bank of Chicago, 38 South Dearborn Street, Chicago 90, Illinois, as Trustee under Trust No. 18742, evidenced by a certificate numbered 3067 for 5 shares and registered in the name of Katie Steigmueller, together with all declared and unpaid dividends thereon, and any all rights to the proceeds of liquidation due or to become due under said Trust, and

c. That certain debt or other obligation owing to Katie Steigmueller, by The First National Bank of Chicago, 38 South Dearborn Street, Chicago 90, Illinois, representing interest on Edgewater Beach Apartments Liquidation Trust 15 year Income Notes and presently on deposit in a Blocked Funds Account (Tr. 21990) entitled Katie Steigmueller, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4060; Filed, May 11, 1950; 8:50 a. m.]

[Vesting Order 14623]

OSCAR VON WEDEKIND AND JULIA VON KNORR

In re: Bank account owned by Oscar von Wedekind and Julia von Knorr. F-63-9127-E-1, F-63-9302-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Oscar von Wedekind is a citizen of Germany who, on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany and is a national of a designated enemy country (Germany);

2. That Julia von Knorr, whose last known address is Roltach/Egern am Tegernsee, Bavaria, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of an account entitled Armin Wedekind-Blocked Account, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Oscar von Wedekind and Julia von Knorr, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4061; Filed, May 11, 1950; 8:51 a. m.]

[Vesting Order 4778, Amdt.]

WILLIAM NIES

In re: Estate of William Nies, deceased. File No. D-28-7814; E. T. sec. 8391.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, Vesting Order Number 4778, dated March 29, 1945, is hereby amended to read as follows:

It is hereby found:

1. That Lina Wehn, Auguste Steinicke, Emma Debus, Martha Born, Helene Mueller, Emil Nies, Alma Filger, Jenny Nies, Paula Muelhoff, Minna Becker, Heinrich Nies, Anna Scholl, Rudolf Nies, Martha Hoffman, Katarina Nies, Helmut Nies, Hermann Nies, Karl Nies, Walter Nies, Anna Nies, Elfriede Nies and Eleanore Becker, whose last known address is Germany, are resident of Germany and nationals of a designated enemy country (Germany);

2. That the heirs at law and next of kin of William Nies, deceased, and the domiciliary personal representatives, heirs at law, next of kin and distributees of Gustav Nies, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of William Nies, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Lewis A. Dudley, Virginia City, Montana, as Administrator, acting under the judicial supervision of the District Court of the Fifth Judicial District of Montana, in and for the

County of Madison, Virginia City, Montana;

and it is hereby determined:

5. That to the extent that the persons identified in subparagraph 1 hereof, and the heirs at law and next of kin of William Nies, deceased, and the domiciliary personal representatives, heirs at law, next of kin and distributees of Gustav Nies, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein and in said Vesting Order Number 4778 shall have and had the meanings prescribed in section 10 of Executive Order 9095, as amended by Executive Order 9193.

Executed at Washington, D. C., on May 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4062; Filed, May 11, 1950; 8:51 a. m.]

[Vesting Order 13071, Amdt.]

LUDWIG DREYFUSS

In re: Trust under will of Ludwig Dreyfuss, deceased, File No. D-66-92; E. T. sec. 1802.

Vesting Order No. 13071 dated March 30, 1949, is hereby amended to read as follows:

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the Mayor (Burgomeister) and the President of the Chamber of Commerce (Vorsitzender de Handelskammer) in the City of Mannheim, in the Grand Duchy of Baden, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the person or persons, names unknown, who are the beneficiaries of the trust created under sub-paragraph 2d (a) of paragraph II of clause Ninth of the will of Ludwig Dreyfuss, deceased, who, if individuals, there is reasonable cause to believe are residents of Germany, and, if corporations, partnerships, associations or other organizations, there is reasonable cause to believe are organized under the laws of and maintain their principal places of business in Germany, are nationals of a designated enemy country (Germany);

3. That the person or persons, names unknown, having the management of the trust created under sub-paragraph 2d (a) of paragraph II of clause Ninth of the will of Ludwig Dreyfuss, deceased, who, if individuals, there is reasonable cause to believe are residents of Germany, and, if corporations, partnerships, associations or other organizations, there is reasonable cause to believe are organized under the laws of and maintain their principal places of business in Germany, are nationals of a designated enemy country (Germany);

4. That all property of any kind or character whatsoever in the possession or custody of or under the control of The Continental Bank and Trust Company of New York, as trustee of the trust under sub-paragraph 2d (a) of paragraph II of clause Ninth of the will of Ludwig Dreyfuss, deceased, subject, however, to any and all lawful fees and disbursements of The Continental Bank and Trust Company of New York, trustee, as aforesaid, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

5. That such property is in the process of administration by The Continental Bank and Trust Company of New York, as trustee, acting under the judicial supervision of the Surrogate's Court, County of New York, New York;

and it is hereby determined:

6. That to the extent that the persons identified in subparagraph 1 hereof, the person or persons, names unknown, who are the beneficiaries of the trust created under subparagraph 2d (a) of paragraph II of clause Ninth of the will of Ludwig Dreyfuss, deceased, and the person or persons, names unknown, having the management of the trust created under subparagraph 2d (a) of paragraph II of clause Ninth of the will of Ludwig Dreyfuss, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4063; Filed, May 11, 1950; 8:51 a. m.]

[Vesting Order 13208, Amdt.]

HARRY H. MORISUE

In re: Stock and bank account owned by Harry H. Morisue, also known as Harry H. Marisue.

Vesting Order 13208, dated April 27, 1949, is hereby amended as follows and not otherwise: By deleting from subparagraph 2-a thereof the words "registered in the name of Harry H. Marisue" and substituting therefor the words "in bearer form."

All other provisions of said Vesting Order 13208 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4064; Filed, May 11, 1950; 8:51 a. m.]

[Vesting Order 14026, Amdt.]

EUGENIA LINKENHEIL

In re: Debt owing to and stock owned by the personal representatives, heirs, next of kin, legatees and distributees of Eugenia Linkenheil, also known as Eugenie Linkenheil, deceased. F-28-12998-A-1; C-1; E-1.

Vesting Order 14026 dated November 4, 1949, is hereby amended to read as follows:

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Eugenia Linkenheil, also known as Eugenie Linkenheil, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of the Central Savings Bank in the City of New York, 2100 Broadway, New York, New York, arising out of a savings account, account number 290, entitled Eugenie Linkenheil, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

b. All rights and interest in Mother Lode Coalition Mines Company (liquidated), 120 Broadway, New York, New York, evidenced by a certificate numbered 033603, for ten (10) shares of $0.01 par value common capital stock of the aforesaid company, presently in the custody of Rudolph Safarik, 291 Broadway, New York, New York, including particularly any and all declared and unpaid dividends on the aforesaid stock, and any and all liquidating dividends thereon,

c. Eight (8) shares of $1.00 par value common capital stock of the Adams Express Company, a Joint Stock Association organized under the laws of the State of New York, evidenced by certificate numbered TC 05674 for seven (7) shares and certificate numbered NO 11027 for one (1) share, registered in the name of Eugenia Linkenheil, and presently in the custody of Rudolph Safarik, 291 Broadway, New York, New York, together with all declared and unpaid dividends thereon, and

d. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, and presently in the custody of Rudolph Safarik, 291 Broadway, New York, New York, together with all declared and unpaid dividends thereon,

is property within the Unted States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Eugenia Linkenheil, also known as Eugenie Linkenheil, deceased, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Eugenia Linkenheil, also known as Eugenie Linkenheil, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

EXHIBIT A

Name and address of corporation	State of incorporation	Type of stock	Par value	Certificate No.	Number of shares	Registered in the name of—
Kennecott Copper Corp., 120 Broadway, New York 5, N. Y.	New York	Common	(1)	O13362	5	Miss Eugenie Linkenheil.
		do	(1)	B82836	3	Do.
		do	(1)	B42408	2	Do.
Butte Copper & Zinc Co., 25 Broad St., New York 4, N. Y.	Maine	do	$5.00	O15000	10	Do.
		do	5.00	O1796	10	Eugenie Linkenheil.
Mengel Co., 1122 Dumesnil St., Louisville, Ky.	New Jersey	do	1.00	CN/O 5941	6	Do.
United States Leather Co., 27-29 Spruce St., New York 7, N. Y.	do	Class A participating and convertible.	(1)	AO229	7	Miss Eugenie Linkenheil.
S. S. Kresege Co., 2727 2d Ave., Detroit 32, Mich.	Michigan	Common	10.00	CL3524	1	Do.
American Crystal Sugar Co., 600 Boston Bldg., Denver, Colo.	New Jersey	do	10.00	CA3278	1	Do.
American Tobacco Co., 111 5th Ave., New York 3, N. Y.	do	do	25.00	CC4906	4	Do.
		Common B (nonvoting)	25.00	BB11777	20	Do.

[1] No par value.

[F. R. Doc. 50-4065; Filed, May 11, 1950; 8:51 a. m.]

[Return Order 609]

GIOVANNI GIULIO RUCELLAI ET AL.

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Giovanni Giulio Rucellai, Nicolo Cosimo Giorgio Rucellai, Giovanna Editta Maria Rucellai, Cintia Paolo Maria Rucellai, Letizia Tamara Nannina Rucellai, New York, N. Y., Claim No. 35114; Nannina Rucellai Fossi, Maria Gabriella Fossi, Giulio Antonio Fossi, Florence, Italy, Claim No. 35115; Bernardo Rucellai, Cosimo Giovanni Bastista Rucellai, Eugenio Rucellai, Florence, Italy, Claim No. 35116; $1,875.14 in the Treasury of the United States to Giovanni Giulio Rucellai; $1,678.25 in the Treasury of the United States to Nannina Rucellai Fossi; $1,633.72 in the Treasury of the United States to Bernardo Rucellai. All right, title, interest and claim of any kind or character whatsoever of Nannina Rucellai Fossi, Maria Gabriella Fossi, Giulio Antonio Fossi, Issue of Nannina Rucellai Fossi, Cosimo Giovanni Bastista Rucellai, Eugenio Rucellai, Bernardo Rucellai, Issue of Bernardo Rucellai, Nicolo Cosimo Giorgio Rucellai, Giovanna Editta Maria Rucellai, Cintia Paolo Maria Rucellai, Letizia Tamara Nannina Rucellai, Giovanni Giulio Rucellai and issue of Giovanni Giulio Rucellai, and each of them, in and to the trust established under a deed of trust executed on July 22, 1926, by Edith Bronson Rucellai, John A. Weekes and the United States Trust Company of New York.

Notice of intention to return published: February 28, 1950 (15 F. R. 1095).

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 5, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4066; Filed, May 11, 1950; 8:51 a. m.]

[Return Order 621]

S. A. MELODI AND EDIZIONI MUSICALI ITALIANE

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

S. A. Melodi, Galleria del Corso, 4, Milan, Italy, Claim No. 37623, March 28, 1950 (15 F. R. 1724); $5,437.57 in the Treasury of the United States.

Edizioni Musicali Italiane, Galleria del Corso, 4, Milan, Italy, Claim No. 36839, March 28, 1950 (15 F. R. 1724); $3,285.40 in the Treasury of the United States.

Property to the extent owned by S. A. Melodi immediately prior to the vesting thereof by Vesting Order No. 1758 (9 F. R. 13773, November 17, 1944) relating to musical compositions entitled "Woodpecker Song" and "Ferryboat Serenade".

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 5, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4067; Filed, May 11, 1950; 8:51 a. m.]

[Return Order No. 624]

JUDITH FISCHER

Having considered the claim set forth below and having issued a determination

allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Judith Fischer, Budapest, Hungary, Claim No. 6828; April 1, 1950 (15 F. R. 1884); $285.71 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 5, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director.
Office of Alien Property.

[F. R. Doc. 50-4068; Filed, May 11, 1950; 8:51 a. m.]

INGRID IGENBERGS

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Ingrid Igenbergs, Munich, Germany, Claim No. 45936; $2,794.55 in the Treasury of the United States.

Executed at Washington, D. C., on May 5, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4069; Filed, May 11, 1950; 8:52 a. m.]

HANS FELSEGG

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property and Location

Hans Felsegg, alias Pospischil, Salzburg, Parsch, Austria, Claim No. 42413; $1,480.78 cash in the Treasury of the United States.

Executed at Washington, D. C., on May 5, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-4070; Filed, May 11, 1950; 8:52 a. m.]